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THE  
HISTORICAL MAGAZINE,  
AND  
NOTES AND QUERIES,  
CONCERNING THE  
ANTIQUITIES, HISTORY AND BIOGRAPHY  
OF  
AMERICA.

VOL. I.

MORRISANIA, N. Y.:  
HENRY B. DAWSON.

1867.





## PREFATORY NOTE.

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The close of the first semi-annual volume of the Second Series of THE HISTORICAL MAGAZINE affords an opportunity for me to return my grateful acknowledgments to my friends for their continued favors and support, and to solicit a continuance thereof.

HENRY B. DAWSON.

*Morrisania, June, 1867.*

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THE  
HISTORICAL MAGAZINE.

Vol. I. SECOND SERIES.]

JANUARY, 1867.

[No. 1

I.—INTRODUCTORY.

With this number, THE HISTORICAL MAGAZINE commences a new volume, a new series, and a new year: and it seems proper to tender our congratulations, on such an occasion, to its long-tried friends, contributors as well as subscribers.

The greatly increased list of subscribers with which we commence the eleventh year of the Magazine's existence, demands our most grateful acknowledgment of the kindness with which it has been regarded since it passed into our hands, six months ago, and stimulates us, as we continue our daily labor, to still greater effort to merit the good-will of every one who respects the Truth of History, for its own sake.

We shall, therefore, earnestly endeavor to make our work indispensable to every one, in all parts of the Union, who shall be interested in any department of the History of our country; and we can confidently refer to the present number, as an earnest of what it will be, and what it will aim to be, while it shall remain under our control.

We have no new promises to make, no old ones to amend; what we promised when we assumed the control of the Magazine, we have steadily and satisfactorily fulfilled and now reiterate; and what we then said of those who possessed no sympathy with the Truth, after six months' experience of their pointless abuse, we now simply repeat—this work can neither commend itself nor prove useful to them; and their sympathy and support are neither expected nor solicited.

HENRY B. DAWSON.

II.—THE GOVERNMENT OF SIR EDMUND ANDROS OVER NEW ENGLAND IN 1688 AND 1689.

READ BEFORE THE NEW YORK HISTORICAL SOCIETY, ON TUESDAY EVENING, 4TH DECEMBER, 1866:

By JOHN ROMEYN BRODHEAD.

My theme to-night is *The Administration of Sir Edmund Andros*, whom James the Second had made his *Governor of New England*, in 1688.

The name "*New England in America*," originally suggested by Captain John Smith, in 1614, was royally given by James the First, in his Patent of 1620. That Patent called "New England" all the North American territory lying between the fortieth and forty-eighth degrees of latitude, and extending from the Atlantic to the Pacific; over the whole of which the British King assumed Sovereignty. French Canada and Dutch New Netherland were included within James's Patent. The latter Province—now New York, New Jersey, and Pennsylvania—had been first discovered by the Dutch in 1609; and it was held and nurtured by them until 1664, when they were dispossessed by the English—an event of which the NEW YORK HISTORICAL SOCIETY commemorated the Second Centennial Anniversary, two years ago.

For a long time, however, this royal "New England" of James the First, existed only nominally or historically, and not really as an entire British dependency. It was sub-divided into various Colonies, each of which had a distinct name:—consisting of Plymouth, Massachusetts Bay, Rhode Island, Connecticut, New Hampshire and Maine. These several Colonies had separate Governments, all of which derived their authority directly or indirectly from the Sovereign Crown of England. Plymouth had a Patent, but no Royal Charter. Massachusetts Bay, Rhode Island, and Connecticut, were chartered Royal Corporations. New Hampshire had no charter but a Governor and Counsellors appointed by the King, and an Assembly elected by her inhabitants. Maine was governed partly as a Ducal

dependency of New York, and partly by the Corporation of Massachusetts Bay.

Under her charter, granted by King Charles "the Martyr," the Royal corporation of Massachusetts Bay was perverted into a Sectarian Oligarchy, composed of Puritan church members, and wholly controlled by them.

That Puritan oligarchy never allowed its subjects a *really Popular Assembly*. It was too anxious to keep all local authority in its own hands; and it did so, until its Sovereign's charter, granted in 1629, was legally cancelled in 1684. According to the English law of that time, the Royal power, which had been delegated to the annihilated corporation, passed back at once to the English Crown. This supreme, original fountain of English Colonial authority, might either create a new corporation, to govern Massachusetts under another Royal Charter, as Charles the First had done, or else commission a Royal Governor and Counsellors to administer the affairs of that colony, either with a popular Assembly, as in New Hampshire and Virginia, or, without such an Assembly, if the Sovereign should think it most expedient.

While Duke of York, James the Second had granted a popular Assembly to New York, of which he was then the Proprietor. But when he became King, James abolished that Assembly; and in June, 1686, he commissioned Colonel Thomas Dongan to be the Governor of his Royal Province, whom he authorized, with certain counsellors, also named by himself, to make all local laws. This was a very imperious exercise of the Sovereign's prerogative. Such a commission has been charged to be "arbitrary" and "illegal." Yet it was no more arbitrary in fact, than if the English King had sealed a charter under which New York should be governed by a corporate oligarchy, as Massachusetts had long been ruled. There was no more idea of a *popular assembly* in the abrogated Massachusetts Royal charter of 1629, than in the New York Royal commission of 1686. Both instruments were legally perfect; for they had both passed the talismanic great seal of England, which was essential to the validity of any English Patent. The only question about either of them was whether a King of England could govern an English American Colony, *without an Assembly which represented all the inhabitants of that Colony*. It was certain that for more than half a century, Massachusetts had been so governed, under a Royal charter from Charles the First. It was reasonable that New York might be so governed under a Royal commission from James the Second.

The same month—June, 1686—that James thus commissioned Dongan to be the Governor of his Royal Province of New York, he commissioned,

in like manner, and with similar powers, Sir Edmund Andros—who, for several years, had been his Ducal Deputy in that Province—to be the Governor of his Royal "Dominion of New England." This "Dominion" was meant to include all the British-American territory North-east of New York. Andros accordingly came to Boston in December, 1686, and assumed the government of Massachusetts. In a little while, he extended his authority over Maine, New Hampshire, Plymouth, Rhode Island, and Connecticut, which, with Massachusetts, then formed "New England." By the end of the year 1687, Andros in New England, Dongan in New York, the Proprietors of New Jersey, and William Penn, were the only immediate representatives of the authority of the British crown, North of the fortieth degree of latitude, in America.

During the summer of 1687, Denonville, the French Governor of Canada, at the head of a large force, invaded the Seneca country of New York. Dongan quickly reported this to King James, who at once declared his sovereignty over the five Iroquois nations, and directed his Governor to protect them as his subjects. While doing this, the King also authorized New York to call on the neighboring English Colonies for assistance. At the same time, James agreed with Louis the Fourteenth that no English or French subordinate commander in America should invade the territories of either King, or commit any hostility against the subjects of either of them there, until the first of January, 1689. Before that day, it was hoped that a satisfactory boundary line, defining their respective Colonial possessions, would be arranged by a treaty between the two European monarchs.

Of all the sovereigns of England, James the Second had the most accurate knowledge of her trans-Atlantic Colonies. For nearly a quarter of a century after the Restoration, he had been the proprietor of a large American Province, under his brother's Royal Patent. In the details of its administration, he had always taken a lively personal interest; and with his own hand, he had written many letters to his deputies in New York, which, at any rate, had the unusual merit of directness and precision. James's terse autographs were not constrained by any official "red tape;" and far more clearly than his Secretary's verbose phraseology, they uttered his own imperious will.

With this long apprenticeship in Colonial affairs, James became King of England and her dependencies early in 1685. The domestic affairs of his realm for some time occupied his attention almost entirely. The rebellions, under Monmouth in England and Argyle in Scotland, having been forcibly put down, the triumphant British sovereign saw his legitimate authority confirmed, and



he soon assumed powers which did not belong to his Royal office.

In the spring of 1688, James—too active to drift, always wishing to row and to steer—was practically governing Great Britain almost as absolutely as Louis was ruling France. The great object of James was to substitute his own Roman Catholic faith in place of the Protestant lawful religion of England and Scotland. To this end, he dispensed with Statutes, forfeited the charters of corporations, and delayed summoning a British Parliament. The far-off English Colonies he insisted on governing, by his royal prerogative alone, as dependencies of the British crown, and not as constituencies of the British Empire. So had his predecessors determined; so had English Courts awarded; so were most Englishmen willing that those Colonies should be governed. All Colonial charters had been granted by the English crown alone; and none had questioned its authority. The colonial system of James the Second was merely an arbitrary exercise of his acknowledged prerogative. He allowed a popular Assembly to Virginia, and he denied it to New England and to New York. Yet, this system of James was in many respects tolerant and equitable. It carefully provided for the happiness and prosperity of all classes of inhabitants in New York and New England, who, while they were not allowed popular representation in local Assemblies, were guaranteed equal political rights as English Colonial subjects, and as large religious liberty as Englishmen in England.

Bigoted Roman Catholic, and tyrannical as he was, James had nevertheless one characteristic which shone out in vivid contrast to his others. He was a much more patriotic Englishman than his witty brother Charles had ever been. Anxious for the friendship of Louis, the duller James scorned to betray England, or any of her dependencies, to France. Hardly had he directed Dongan to prevent all hostilities against French-American subjects, when he was convinced that Louis had obtained the advantage. Canada was under one Governor-General, whose sole mind executed all his master's orders. The English Colonies, on the other hand, had different local governments, which did not always act in harmony. James, therefore, determined to consolidate his North American territories, as far as convenient, under one vice-regal administration. By this means he hoped to secure them against their restless Canadian neighbor, and at the same time strengthen his own arbitrary rule. Dongan had pleaded that Connecticut and the Jerseys should be annexed to New York. But Connecticut was now a part of New England, under the government of Andros. The Proprietors of New Jersey had just surrendered their

authority to the King. Instead of annexing Connecticut and the Jerseys to New York, as Dongan had urged, James resolved to add New York and the Jerseys to his "Dominion of New England." Pennsylvania was not included in this arrangement, because her Quaker Proprietor was too useful an instrument for the King to offend. But all the rest of the titular New England of James the First, excepting French Canada, was now united, for the first time, as a political whole, under one Colonial Governor appointed by James the Second.

This determination must displace either Andros or Dongan. Both had been twice commissioned by James; first when Duke of York, and again when King of England. Of the two, Andros had the longest experience in government, and perhaps the best administrative talent. He had already governed New York for several years; and his vigorous rule in New England was now giving much satisfaction to his arbitrary Sovereign. Although "fond of prelacy," Sir Edmund was not a Roman Catholic. But he had proved himself to be an uncompromising executor of all the Royal commands. An accomplished soldier, Andros naturally made prompt and implicit obedience his standard of duty.

On the other hand, Dongan—likewise a soldier, yet more a patrician—was an Irish Roman Catholic, a nephew of Talbot, Earl of Tyrconnell, and the presumptive heir of his own elder brother, the intensely loyal Irish Earl of Limerick. But Dongan had more independence of character than Andros. He had foiled and embittered Penn, and had angered Perth and Melfort of New Jersey, in the interest of New York. All these were powerful courtiers at Whitehall. The impulsive Governor of New York had been sharply censured by the King of France, for maintaining the King of England's antagonistic authority over the Iroquois. In a word, Dongan had shown more official "zeal" than an experienced politician in high place—then and now—would have considered expedient in a subordinate. So James superseded his Roman Catholic Governor of New York, and issued a new commission, making the Protestant, Sir Edmund Andros, Governor General of his "Dominion of New England," which now included all the territory (except Pennsylvania) between Maryland and Canada.

The recall of Dongan gratified the vanity of Louis, whom he had offended. But Louis had no reason to be pleased that James had appointed Andros to govern the consolidated British American Colonies, which, it was understood in London, would "be terrible to the French, and make them proceed with more caution than they have lately done." However disagreeably this measure of her King affected New York, it was

certainly patriotic and wise, in respect to the colonial interests of England in America, as opposed to those of France.

The instructions which the King gave to Andros with his new commission, named forty-two of the principal inhabitants of the several colonies now forming his "Dominion of New England" to be its Counsellors. Those from New York were Anthony Brockholls, Frederick Philipse, Jervis Baxter, Stephen Van Cortlandt, John Spragg, John Younge, Nicholas Bayard, and John Palmer, nearly a fifth of the whole number. By the advice and consent of a majority of the Counsellors, of whom five were an ordinary quorum, the Governor could make laws and impose taxes throughout the Dominion. The Provincial seal of New York was directed to be broken, and that of New England to be thereafter used in its place. Liberty of conscience, pursuant to the King's Declaration of April, 1687, was to be allowed "to all persons, so they be contented with a quiet and peaceable enjoyment of it." No press was to be used, nor book to be printed, without the Governor's license. But this was no novelty; for press censorship had long been the darling Puritan practice in Massachusetts.

Such were the most prominent Instructions of James the Second to Andros, for the Government of his Dominion of New England. As the territory of that Dominion was now so vast, it was necessary that some one should be appointed to act for the Governor, in case of his absence or death. Captain Francis Nicholson was accordingly commissioned by the King to be his Lieutenant Governor of New England. No place was fixed by the Sovereign as the seat of Government of his American Dominion. It might be at Boston, or New York, or elsewhere within that Dominion, at the discretion of Andros; (*New York Colonial Documents*, III., 536-550, ix, 372.)

When Dongan was notified of these arrangements, so unexpected by himself, he prepared to surrender his government of New York to Andros. Among other things, it was ordered in Council, that all Spanish Indians who had been made slaves within the Province, should be set free, if they could "give an account of their Christian faith, and say the Lord's prayer." The last law passed by Dongan and his New York Council, on the second of August, 1688, was "to prohibit shoemakers from using the mystery of tanning hides." The last patent, under the Provincial seal of New York, was issued by its Governor, on the same day, to the Town of Huntington, on Long Island.

Meanwhile, Andros had heard of his promotion over Dongan, of whom he was jealous, and anxiously awaited the arrival of his new commission at Boston. The news of its coming quickly spread; and Attorney General Graham

of New York, who had been an old ship companion of Sir Edmund, hurried eastward towards the rising sun, which radiantly promoted him to be the Attorney General of the whole Dominion of New England. John Palmer, one of the Judges of New York, whom Dongan had sent with his dispatches to London, in the previous autumn, now returned to Boston; and Andros at once made him a fourth Associate Justice of the Superior Court of the enlarged Dominion, along with Joseph Dudley, and William Stoughton, and Peter Bulkley, who had been its three Judges since 1687; (*Col. Doc. III.*, 421, 428-478; *Valentine's Manual for 1862*, 741; *Palmer's Impartial Account*, 22; *Hutchinson's Massachusetts*, I., 362-371.)

At length, on the nineteenth of July, 1688, the Governor General's new commission was published, with great parade, from the Balcony of the Boston Town House. Nicholson, at the same time, was installed in his place as a Lieutenant Governor of the whole Dominion of New England. A fortnight afterwards Andros set out for New York, attended by several of his counsellors, to resume its government, together with that of New Jersey.

On Saturday, the eleventh of August, 1688, Andros reached the metropolis, where he was received by Colonel Bayard's Regiment of militia infantry, and a troop of horse. The Governor General's commission was read in Fort James, and then published at the City Hall. The Provincial seal of New York was received from Dongan, and "defaced and broken in council," according to the King's order. In its stead, the great seal of New England, with its motto from Claudian, "*Nunquam libertas gravior extat*," was thenceforth to be used throughout the Dominion. (*Valentine's Manual for 1862*, 738, 739; *N. Y. Col. Doc. III.*, 546-567.) The same day a proclamation was issued, continuing all persons in office, and directing all former taxes to be collected. Thus Andros began his second government of New York. He had left the Province, seven years before, at the command of the Duke of York. In the interval, she had gained, and had lost, a popular Assembly. And now her old Governor returned among familiar scenes, to assume almost imperial authority, as the Viceroy of James the Second.

A few days afterwards, the Governor General went over to New Jersey, and published his commission at Elizabethtown, and then again at Burlington. Several local officers were at once commissioned by Andros, under the great seal of the Dominion. It was remarked that both East and West Jersey were thinly inhabited; but that all the people "showed their great satisfaction in being under His Majesty's immediate government." (*Col. Doc. III.*, 554-567.)



But if the people of New Jersey were satisfied with their altered condition, the people of New York, who had long been accustomed to the direct government of James, were not generally pleased that their Province should lose its individuality, and be consolidated with the Royal Dominion of New England. It was true that their old Governor had come back to his first American home, and that many of its inhabitants preferred Andros, the Protestant, to Dongan, the Romanist. Yet the return of Andros to New York was accompanied by humiliating circumstances. It demonstrated that she had ceased to exist as a distinct British-American Province. To be sure Massachusetts, and New Hampshire, and Maine, and Rhode Island, and Connecticut, and New Jersey, had also ceased to exist, as separate English Colonies. But New York, from her beginning, had something peculiar about her. Historically, geographically, and socially, she was, and always must be, distinguished from every other North American possession of her British Sovereign. For half a century before her conquest, she had remained a territory of the Dutch Republic, interposed between the English Puritan Colonies at the North East, and the English Episcopalian and Roman Catholic Colonies at the South. For more than that period, her relations with the Canadian French, and with the Iroquois within her own borders had required special skill in their management. Of all the North American possessions of England, comprehensive New York seemed most to need a separate government. Up to this time she had, in fact, been differently governed from any other British-American Colony. She had never been chartered as a corporation, under either Dutch or English authority. In truth, she had never desired to be ruled by an oligarchy, like some of the incorporated Colonies in New England. What the eclectic people of New York desired, and what for a season they had enjoyed, was a "Charter of Liberties," which did not sequester local authority for the benefit of a sectarian minority of Church members; but which secured to every inhabitant of their territory a share in legislation, freedom of conscience, and entire toleration of all modes of Christianity. The expressive words, "*The People*," were, for the first time, used in that superbest of all American Colonial Charters, drafted by the freemen of our own dear old "EMPIRE STATE." (See *N. Y. Colonial Documents*, III., 358.) If New York wished Connecticut and New Jersey to be annexed to her, it was because those Colonies had belonged to her ancient territory, and ought to belong to her now, under the King's Patent of 1664. But New York, in sympathy with Rhode Island, had no wish to be too closely associated with Massachusetts. It is not surprising that

the metropolitan city of the old Dutch Province, knowing that it had become "the envy of its 'adjacent neighbors, who did not cease by all 'their little artifices to interrupt its trade,' should have especially lamented 'that unhappy 'annexation to New England.'" (*Col. Doc. III*, 576, 792, 799; *Dunlap, II*, App. CXLII.)

Nevertheless, if the people of New York generally felt it a political "degradation" to be thus annexed to New England, there were some who at first enjoyed gratification. Her Provincial Counsellors found their official importance increased by the act of their king. If the New England Counsellors could now vote on the affairs of New York, the New York Counsellors could likewise vote on the affairs of New England. And this they did, in the case of a proposed law to regulate the carrying of passengers abroad in ships, which Andros failed in causing to be passed in Council at Boston, but which was easily enacted when it was again brought up in Council at New York.

An event now occurred which gave the Dutch people of New York real uneasiness. For almost half a generation, they had hoped that the wife of their own Prince of Orange would become Queen of England. Joyfully would they have mingled cries of "ORANJE BOVEN" with "LONG LIVE THE QUEEN." But James had married a Roman Catholic second wife, who bore him a son on the tenth of June, 1688; and this son, as Prince of Wales, would become King of England, on the death of his father, if all should go regularly on. The news was received at New York with regret by the Dutch Orangeists, but with vehement joy by the Royal officials. A great city carouse was given the same evening, at which the mirth waxed so boisterous, that the record quaintly tells us Mayor Van Cortlandt "sacrificed his hat, peruke, &c." (*Col. Doc. III*, 554, 665.)

A conference with the Five Nations at Albany, and a visit to Esopus, detained Andros for some weeks in New York, where he would have staid longer if he had not been obliged to hasten to Boston on account of Indian troubles which had broken out in Maine.

Nicholson was accordingly directed to remain in New York, to administer its government, assisted by the local Counsellors, Phillipse, Bayard, Van Cortlandt, Younge and Baxter, the latter of whom was stationed, in command of the Fort, at Albany. Brockholls accompanied his old chief, Andros, to Boston; and such of the New York Records as were necessary for the Governor-General to have at hand were taken Eastward.

When he returned to Boston, after an absence of eleven weeks, Andros disapproved of what his subordinates there had done, and took vigorous measures to check the outrages of the sav

ages in Maine. Most of the King's three companies of regular soldiers at New York and Boston were at once dispatched thither, under the command of Brockholls, with stores and provisions. But this did not meet the emergency. It was therefore ordered in Council, on the first of November, 1688, that a militia force should be raised out of the whole "Dominion of New England," and that the command of this force should be offered to Fitz John Winthrop, of Connecticut, one of the King's Counsellors. But Winthrop pleaded illness, and declined the hazardous duty. The offer was repeated to other Colonial militia officers of the Dominion, every one of whom "absolutely refused the service." They all preferred staying at home, to doing duty in chilly Maine. Yet, a little while afterwards, this pusillanimity was attempted to be excused by the suggestion that Brockholls was a "Popish commander," and that Andros, by his vigorous policy for the defence of its frontier, was plotting "to bring low" the people of the rest of the Dominion. But, certainly, if Andros had been plotting "to bring them low," he would not have weakened the garrison in Boston by detaching most of the King's stipendiary soldiers for service in the forests of Maine.\*

Seeing that no New England militia officer was willing to conduct the campaign against the Maine savages, the Governor-General, by the advice of his Council, resolved to take the command himself. Palmer, one of his Counsellors, thus records the truth, which has hitherto been suppressed: "The Governour's proposal to the Council, about his going to the eastward, met with no opposition, lest some of the military men there, should have been bound in honour to have taken that Employment upon themselves." (*Palmer's Impartial Account*, 35.)

So Andros gallantly went to Maine, and, throughout the biting winter, shared all the hardships of the militia, whom he led. There were about eight hundred men in all, raised out of the several Colonies; and among the officers, besides Brockholls, were Lieutenant-colonel MacGregorie and Captain George Lockhart, of New York. Many of the soldiers died from fatigue and exposure, in chasing the savages into their remote hiding-places. The result was, that this attempt to capture roaming native Americans, was like trying "to hedge in the cuckoo," as Cotton Mather afterwards philosophized on the expedition. But Mather omitted to state the disgusting fact that while Andros was thus trying,

with personal devotion, to protect the frontier of his Government in Maine from the savages, some Boston merchants, taking advantage of his absence, sent a vessel thither, laden with ammunition and provisions, to truck with those Indian enemies and their French friends in Canada and Nova Scotia. (*Col. Doc. III.*, 581, 724.)

As he could not destroy or capture its savage foes, Andros established some eleven garrisons for the protection of Maine. At *Fort Charles in Pemaquid*, he placed Brockholls in chief command, with six regular soldiers and sixty militiamen. MacGregorie and Lockhart, of New York, were stationed at other forts. During the winter, he caused a sloop to be built out of the magnificent timber of Maine, and other precautions to be taken. But everything the Governor did was misrepresented at Boston, where, during his absence, the most absurd stories were propagated, and rumors from England cautiously circulated.

Prominent among the King's instructions to Andros, was one which required him to suppress "all pirates and sea rovers." This the Governor tried to execute; but his efforts were foiled by interested speculators. "Since the vacating their charter," wrote Secretary Randolph, "they have been kept from the breach of the Acts for Trade and Navigation, encouraged by their former government;" and "they are restrained from setting out privateers who, for many years together, robbed the Spanish West Indies, and brought, great booties to Boston; and also, they durst not, during the Governor's time, harbour pirates." Boston, as witnessed by Randolph, had now become "the common receptacle of pirates of all nations." According to the testimony of Palmer, the "constant and profitable" correspondence of Massachusetts with "Foreigners and Pirates" had been so greatly obstructed by Andros as to make it "very disagreeable to many persons who had even grown old in that way of trade." The chief attraction of freebooters to Boston seems to have been the Massachusetts mint, established in 1652, which "encouraged pirates to bring their plate thither, because it could be coined and conveyed in great parcels, undiscovered to be such;" (*Col. Doc. III.*, 581, 582; *Palmer*, 20.)

The abrogation of the Massachusetts charter had crippled those worldly advantages. But it had still more affected the sectarian interests of Puritan clergymen; and it is not surprising that combined efforts were made by the sufferers to restore an oligarchy under which they had enjoyed such valued privileges.

Before the Massachusetts charter was cancelled in 1684, not one of its inhabitants could vote for officers of the corporation, unless he was a freeman of that corporation, and a puritanical communicant. But these corporate "freemen" were

\* According to a return made to Andros in 1688, the militia force of Massachusetts, New Hampshire, Maine, Plymouth, Rhode Island, and Connecticut, was 13,529. That of New York was about 2,000 in the same year. See, also, *Arnold*, I., 520; *N. Y. Col. Doc. III.*, 581, 723, *IV.*, 29, 185, 197, 213; *Force's Tracts*, IV., No. 10, p. 11.



only a small minority of the population of Massachusetts. The majority of her inhabitants were disfranchised. They were not represented in her General Court; they were taxed without their consent and against their will; they were the subjects of a spiritual despotism. Class government is not and never was democracy. As long as the Massachusetts charter survived, the greater part of her people enjoyed no real political freedom; and not until its abrogation did exclusive privilege give way to equal popular rights.

When the direct government of the English Crown took the place of the class government which had domineered Massachusetts by a perversion of her Royal charter, it was very natural that her Puritan ministers should have keenly felt their altered condition, and have bitterly vented their griefs. Their political supremacy was gone. They could no longer control the choice of corporate officers who would make laws at their dictation. There was now popular equality under the Common Sovereign of all English Colonists, where sectarian privilege had flourished before, under a colonial oligarchy. And so, the cry was soon started that Episcopalian "wild beasts of the field" had entered through the broken hedge of the old charter, and were ravaging that succulent Massachusetts sheep-fold of which Puritanism had so long enjoyed the exclusive pasture.

There was some truth in this metaphor of Cotton Mather. Most American Historians have denounced Andros as Governor of New England, oftentimes in terms of coarse invective, and they have generally represented him as a mere bigot, and minion, and tyrant. The partisan statements of early New England writers have been reiterated without question, to the exclusion of almost every thing recorded on the other side. Whether the Commission and Instructions of James the Second to his Governor were more or less "illegal" or "arbitrary" than the charter which his beheaded father had granted to Massachusetts, and which "knew no representative body," was certainly not a question for Andros to answer. He was not to blame, because his King had directed New England to be governed by himself and his Counsellors, without an Assembly. His duty was to execute his Sovereign's commands; and this duty he did with characteristic energy—faithfully, fearlessly, and, in some instances, harshly. In his administration he greatly offended the "perverse people" who had so long been accustomed to order every thing in their own way. So they complained that it was a great wrong to require deponents to touch the Bible, instead of holding up their hands; a grievance that Quakers should be allowed "freedom to worship God" in their own fashion,

and not be compelled, as of old, to pay forced rates for the support of Congregational ministers; an offence that the English Church service should be celebrated in Boston by the Rector, Samuel Miles. They liked the Press to be muzzled by Puritan censors; but they groaned when it was muzzled by Episcopalians. It was especially galling to them that West, and Farewell, and Graham, and Palmer, whom Andros had made his chief subordinates and confidants, had come from New York. These officials were opprobriously called "a crew of abject persons." Yet, much allowance should be made for such old spiteful words, uttered by partisans, in the heat of angry controversy. It is certainly true that many of the acts of the Governor General's experienced subordinates were selfish and very oppressive. Land titles were questioned so that large fees might be exacted for new Patents. Other official charges were avariciously increased. The Judges of the Dominion were greatly blamed for administering the law strictly, according to the practice in England. They were especially reviled for not allowing writs of Habeas Corpus under Shaftesbury's act of 1679. But those Colonial Judges were at any rate lawyers enough to know that Shaftesbury's Statute did not extend to the English Plantations. It was purely an English domestic measure. And I may here mention, as an interesting historical fact, that this English Habeas Corpus act never did affect any one British-American Colony, until Queen Anne used her prerogative to stretch it across the Atlantic to Virginia, in 1705. Nevertheless, Andros was held to be responsible for every doing and every saying of each of his subordinates. Most of his own acts were able and statesmanlike, while some of them were arbitrary and provoking. His greatest fault was that he administered his government too loyally to his Sovereign, and too much like a brave soldier. Instead of conciliating, he wounded; instead of arguing, he ordered. Even James saw the injury his honest Viceroy was doing him in New England, and was obliged to rebuke his excessive zeal.

The King's Declaration of April 1687, for liberty of conscience, was at first joyfully received by his most sanguine New England subjects. Puritans thought it a deliverance from English Prelacy; Quakers and Anabaptists felt that they could at length share in the liberty which Congregationalists had monopolized; and the small band of Episcopalians gathered in Boston rejoiced that they might now freely hear the beautiful liturgy of their denomination read by a surpliced clergyman. What in our own day is called "*Broad Church*," seemed to be established by James the Second throughout his Dominion of New England. But the Puritan



ministers of Massachusetts soon caught an alarm. They quaintly complained "that a licentious people take the advantage of a liberty to withhold maintenance from them." They were vexed that Andros would not allow all the inhabitants to be distressed by constables visiting their houses, to levy the compulsory church rates to pay the salaries by which Massachusetts Congregational preachers had been comforted of old. All around Boston, these Sectarrians waxed wroth when they discovered that their own hatred of Protestant Episcopacy was surpassed by that of the Roman Catholic head of the Church of England; and the most discerning Puritan politicians in the Bay Colony began to dread a Royal toleration more than the enforcement of the suspended penal laws about religion, which they now called "the only wall against Popery." Addresses of thanks to the King were, nevertheless, adopted by several congregations; but, at the same time, petitions were signed for relief from some of the imperious measures of Andros. These documents were entrusted to Increase Mather, one of the most eminent Puritan ministers in Massachusetts, who had been sued for a libel by Randolph, and was obliged to embark in disguise for England, apparently hoping to obtain from the King a restoration of his Colony's effete oligarchy.

But the determination of James to maintain the government he had established in New England, could not be shaken. Personal favorites, prevailing in other points, were foiled in this. Sir William Phipps, a native of Maine, whom he had made a Knight, for his success in recovering a large treasure from a Spanish wreck near Hispaniola, was allowed to ask what he pleased; and Phipps asked "that New England might have its lost liberties restored." But James, who had no idea of re-establishing Puritanism in Massachusetts, replied, "Anything but that." Phipps then procured a Royal Patent to be High Sheriff of New England, so that he could impanel jurors, and thus counteract Andros. With this he came to Boston some time after Mather had gone; but the Governor found a way to defeat his Patent, and Phipps returned to London full of indignation. (*Magnalia*, I., 175, 176, 178.)

In the mean time, Mather had been kindly received by James on the thirtieth of May, and, in conjunction with Nowell and Hutchinson, former magistrates of Massachusetts, had petitioned for liberty of conscience, and favor to the College at Cambridge. But these petitions spoke of the Episcopal Church in such "very indecent language," that the Agents were obliged to withdraw them from the Plantation Committee, to which they had been referred. The Agents then petitioned for a confirmation of estates in New

England, "and that no laws might be made, or monies raised, without an Assembly, with sundry other particulars." This petition was referred to Attorney-General Powis for a report. But Lord Sunder-land, the President of the Council, struck out of it, "the essential proposal of an Assembly," telling Mr. Brent of the Temple, the Solicitor of the petitioners, "that it was by his advice that the King had given a commission to Sir Edmund Andros, to raise monies without an Assembly, and that he knew the King would never consent to an alteration; nor would he propose it to His Majesty." Powis, however, had been "dexterously gained;" and being hardly a third-rate lawyer, and very jealous of his predecessor Sawyer, he reported that the Massachusetts charter had been "illegally vacated." A copy of this report was dispatched to Boston, where it was used to excite hopes of a new charter, "with larger power." But the agents at length became convinced that the Massachusetts charter would neither be restored nor enlarged, and that the King would not disturb the policy he had adopted in regard to consolidated New England. They then asked the Plantation Committee to report "that until His Majesty shall be graciously pleased to grant an Assembly, the Council should consist of such persons as shall be considerable proprietors of lands within his Majesty's Dominions," that each county should have a Counsellor, and that no law should be made except by a vote of the majority of these Counsellors. This would of course have placed the government of New England in the hands of a local landed aristocracy.

But extraordinary events were now culminating in England, which postponed definite action on Colonial affairs. In the midst of these movements, William Penn retained the favor of his Sovereign, who made him "Supervisor of excise and hearth money," and promised to enlarge Pennsylvania by "a grant under the great Seal, for the three counties on the Delaware." If this royal promise had been executed, there would have been one less North American State; and New York would now have had a rival Sister, no less powerful in commerce than in agriculture. Yet, while James thus especially favored Penn, he promised Mather a "speedy redress" of many grievances in New England; and that, in the mean time, Andros "should be written unto, to forbear the measures that he was upon." But no such instructions were sent to Andros.

A revolution in England prevented many of the King's designs in America from being carried out. One of these designs seems to have been to extend the system of consolidation, which had worked so well in New England, throughout

the other British North American Colonies. If James had remained King, he would very soon have included Pennsylvania, Maryland, Virginia and the Carolinas in one grand general government, with New England, under his North American Viceroy. It was also his purpose, as he afterwards informed the Pope, "to have set up "the Roman Catholic religion in the English "Plantations of America." This, however, could not have been accomplished as long as the Mother Country was Protestant. The rash bigotry of James precipitated the event, in that country, which observing men had long foreseen. It alarmed the penetrating judgment of the Vatican. "We must," said the thoughtful cardinals of Innocent the Eleventh, "excommunicate this King, "who will destroy the little of Catholicism "which remains in England." But before Rome applied her precautionary "*brake*," the last male Stuart sovereign of Great Britain was dethroned.

The story of the English Revolution of 1688 is familiar. James the Second offended English Protestants so much, that they invited the Dutch Stadtholder, William the Third, Prince of Orange, to come over from Holland and deliver them from their Roman Catholic King, who had now harrowed God's field long enough. As soon as James was assured that William was coming, he issued a Proclamation summoning his subjects to defend their country from invasion. He also wrote a circular letter, on the sixteenth of October, 1688, to Andros, and his other Colonial Governors, warning each of them "to take care, "that upon the approach of any fleet or foreign "force, the militia of that our Plantation, be in "such readiness as to hinder any landing or invasion that may be intended to be made within "the same."

The dispatch of this circular was the last official act of James the Second in regard to his American Colonies. Lord Sunderland, the versatile Minister who countersigned it, was removed from office, a few days afterwards, for treasonable correspondence with the enemies of his master. But nothing could now help James. On the fifth of November, 1688—the eighty-third anniversary of the discovery of Guy Fawkes's "Gunpowder "Plot" against James the First, in 1605—by a singular coincidence, William landed at Torbay in Devonshire, at the head of a large Dutch force. The second James, less lucky than his grandfather, became stupefied, abdicated his crown, and fled to France. A provisional directory of English Peers was formed at London, which invited the Prince of Orange to assume the administration of the English Government. This invitation was accepted by William, who, after partaking of the Holy Communion, according to the ritual of the English Protestant Epis-

copal Church, on the last day of December, 1688, became the virtual Sovereign of England.

The attention of the Prince of Orange was quickly called to the situation of the English Colonies in North America, "for the happy "state of which he possessed a particular care." A few days after his assumption of the administration, on the ninth of January, 1689, Mather was introduced to him by Lord Wharton, and he was fully informed of the warning letter which James had sent to his American Governors in the previous October. William now thought it prudent to communicate his own instructions to those Governors. Accordingly, on the twelfth of January, 1689, under the countersignature of William Jephson, his private Secretary, the Prince wrote an adroit circular letter to each of them, directing that all persons "not "being Papists," holding any offices in the Plantations, should continue to execute them as formerly; and that "all orders and directions lately "made or given by any legal authority, shall be "obeyed and performed by all persons," until further commands should come from England. Thus William clearly announced his American policy to be that of "*statu quo*." This letter was dispatched to Virginia; and it was directed to be sent to New England, and the other English dependencies.

But the Massachusetts Agents in London saw at once, that if William's letter should be received by Andros, it would be "fatal to their "schemes;" because it would reduce their constituents to the dilemma of submitting to his authority, under the Prince's direction, or else of treasonably rebelling. By this time Phipps had got back to London; and he, with Mather, so effectually wheedled Jephson, that William's letter to Andros "was stopped, and ordered not to "be sent." This was the turning point of the trouble which followed in New England; and no one afterwards regretted the success of this Whitehall back-stairs intrigue, of which William was made the chief victim, more than did William himself.

A month after this letter of the Prince of Orange was thus withheld from Andros, on the thirteenth of February, 1689, WILLIAM and MARY were proclaimed King and Queen of England, and "all the Dominions and Territories "thereunto belonging." The next day the new Sovereigns, by their Proclamation, confirmed in their offices "*all Protestants*" within the Kingdom. But this did not affect officers in the English Colonies. Five days afterwards, on the nineteenth of February, 1689, another Proclamation directed that "*all men*," in the several Colonies, "*being in offices of Government, shall so "continue, until their Majesty's further pleasure "be known*." The difference between these two



Proclamations was very significant. In England, *Protestants only* were to be kept in office. But in the English Colonies, *all officials* were to remain undisturbed. There was no danger to Protestantism in America, as there had been in Britain.\*

The Revolution in England was thus held by her statesmen as in no way affecting her Colonies, except in transferring their allegiance, without their expressed consent, from one British Sovereign to another. But, while Phipps and Mather acquiesced in this doctrine, they thought the time had come for a vigorous effort to break up the consolidated New England of the late King. They were "secessionists;" they thought more of Massachusetts than of Union; and they wanted to destroy Union. Encouraged by the favor of Mary, who, before she left Holland, had been gained over to their side, by "the eminent" Abraham Kick, of Rotterdam, Phipps and Mather, on the eighteenth of February, petitioned William that Massachusetts, Plymouth, Rhode Island and Connecticut might be "restored to their ancient privileges." But they said nothing about New York and New Jersey in which they had no interest. William referred this petition to his Plantation Committee; and meanwhile he directed that the dispatches and Proclamations which the Privy Council had ordered to be sent to Andros should be "postponed 'till the business of taking away the charters should be considered." Phipps and Mather were accordingly heard by their Counsel before the Plantation Committee; and Sir

Robert Sawyer, the former Attorney General, in 1684, reported the reasons for the cancellation of the Massachusetts charter. Sawyer's report was legally satisfactory. Even Treby and Somers, the Attorney and Solicitor General of William the Third, pronounced the "unreversed" judgment in Chancery, gained by Sawyer against that charter, to be good, in spite of the unlaywer-like opinion which a few months before had been bought from Powis, the venal Attorney General of James the Second.

And so, the Plantation Committee of William the Third agreed to report, on the twenty-second of February, 1689, "that His Majesty be pleased to send forthwith, a Governor to New England, in the place of Sir Edmund Andros, with a Provisional Commission, and with Instructions to proclaim His Majesty in those colonies." But the sending of another Royal Governor in place of Andros, was just what Phipps and Mather did not wish to be done. He was as good as any other Royal Governor might be. Accordingly, the King was prevailed upon to order that a new charter should be prepared for New England, which, while it recognized colonial rights in property, reserved colonial "dependence on the crown;" and that, instead of a Governor, two Commissioners should be sent to administer its government, in the name of the Sovereign. Yet even this did not suit the Massachusetts agents. It settled the fate of Andros; but it showed that William meant to keep New England consolidated, as James had established that Dominion.

A general popular Assembly in New England, was not palatable to the Massachusetts agents. What they wanted was the restoration of the old separate Puritan oligarchy in that Colony:—nothing more, nothing less. Accordingly, on the fourteenth of March, Mather was again presented to the King, whom he implored to "favour New England." This William readily promised; but he keenly remarked, "there have been irregularities in their government." At the same time he declared that Andros should be recalled, and that "the present King and Queen shall be proclaimed by their former magistrates." What William really meant by this phrase, "former magistrates," is not clear; but it is certain that he did not mean to decompose his predecessor's "Dominion of New England" into its former several integers. He was too good a statesman not to adopt at once James's royal notion of Colonial consolidation, and not to maintain that idea which was so demonstrably advantageous for England, especially when she was on the eve of a bitter war with France. Yet, William's large European policy was not revealed to the agents of his subordinate American colony. In this state of doubt, Phipps thought that he had better hasten back to Massachusetts.

\* The following is a copy of the circular letter of the English Privy Council, to the several Colonial Governors:

"After our very hearty commendations:—Whereas, WILLIAM and MARY, Prince and Princess of Orange, have, with the consent and at the desire of the Lords Spiritual and Temporal, in Parliament Assembled at Westminster, been proclaimed King and Queen of England, France and Ireland, and of the Territories and Dominions thereunto appertaining. We have thought fit hereby to signify the same unto you, with directions that with the Council and other principal officers and inhabitants of [Virginia] you proclaim their most sacred Majesties, according to the form here inclosed [See Col. Doc. III., 605], with the solemnities and ceremonies requisite on the like occasion. And we do further transmit unto you their Majesties most gracious Proclamation, signifying their Majesty's pleasure that all men being in offices of Government shall so continue, until their Majesty's further pleasure be known. We do in like manner will and require you forthwith to cause to be proclaimed and published, as also that you do give order that the oaths herewith sent, be taken by all persons of whom the oaths of Supremacy and Allegiance might heretofore have been required; and that the said oaths of Allegiance and Supremacy be set aside and abrogated within your government. And so, &c. &c. &c."

"From the Council Chamber, the 19th February, 1688-9.  
HALIFAX, C. P. S. SHREWSBURY, MACCLESFIELD,  
H. CAPEL, J. BOSCAWEN,  
WINCHESTER, DEVONSHIRE, DELAMERE,  
RO HOWARD, R. HAMPTON."  
This dispatch was sent to, and acted on, in Virginia, and in Pennsylvania; and it would surely have been obeyed by Andros, if he had received it. Compare Col. Doc., III., 572, 583, 587, 585, 605; Chalmers, I., 431, 469; Anderson's Colonial Church, II., 381, 382; Penn. Col. Rec., I., 340, 341.

But before he left London, a messenger from James, who was now in Ireland, tendered him "the government of New England, if he would accept it." This Irish offer, by "the abdicated king," Phipps wisely declined; and soon afterwards he set sail for Boston, carrying the Privy Council's delayed dispatches to Andros of nineteenth of February, and "with certain instructions" from none of the least considerable persons at "Whitehall." One of these private "instructions" was that if the people of New England "did give them the trouble to hang Sir Edmund, they deserved no friends:" (*Col. Doc. III.*, 587, 588; *Magnalia*, I., 178.)

After the departure of Phipps, the English Privy Council, on the eighteenth of April, directed Secretary Shrewsbury, to inquire who were best fitted to be Governor and Lieutenant-Governor of New England. These appointments were the more necessary to be made at once, in view of the opening war with France. It was also contemplated to bring the several proprietary governments in America "under a nearer dependence on the Crown, as His Majesty's revenue in the Plantations is very much concerned herein." Thus William's Whig Counsellors, in the third month of his reign, advised him to carry out some of the most decided colonial measures of his predecessor, because those measures were now selfishly considered to benefit England.

Two hundred years ago, news from Europe came tardily and uncertainly across the Atlantic. The monitory letter sent by James to Andros in October, did not reach Boston until the following January. By the same vessel, Mather warned his Massachusetts friends, "to prepare the minds of the people for an interesting change." The King's letter was dispatched to Maine, and in obedience to it, on the Tenth of January, 1689, Andros issued his Proclamation, dated "at Fort Charles, at Pemaquid," charging "all officers, civil and military, and all other His Majesty's loving subjects within this his Territory and Dominion aforesaid, to be vigilant and careful in their respective places and stations; and that upon the approach of any Fleet or Foreign Force, they be in readiness, and use their utmost endeavour to hinder any landing or invasion that may be intended to be made within the same." (*See Val. Man.*, 1859, 452; *Hist. Mag.*, Nov. 1866, 144, *Sup.*)

A few weeks afterwards, while Nicholson was putting New York in a better condition of defence, a coasting vessel from Virginia arrived there, on the fifth of February; and Andries Greveraet her master, called on the Lieutenant-Governor at Fort James, with news that the Prince of Orange had landed at Torbay. Astonished to hear it, Nicholson compared William to Monmouth; prophesied that "the very 'prentice boys of

"London will drive him out againe;" and forbade the news to be divulged to any one. A week afterwards, Jacob Leisler, a Captain of one of the City train-bands, and a large importer of foreign liquors, received a confirmation of the intelligence, by way of Maryland. The news was "kept private at first" by Nicholson and his Counsellors, "to hinder any tumult by divulging the same so suddenly." But, on the first of March, 1689, "a full account" of it was dispatched from New York to Andros, in Maine.\*

When Andros received Nicholson's dispatches from New York, he left Brockholls in chief command at Pemaquid, and hastened to Boston, which he reached "about the latter end of March:" (*Col. Doc. III.*, 581, 723.) A few days afterwards, on the 4th of April, John Winslow arrived at Boston from the West Indies, bringing copies of the Prince of Orange's Declaration from the Hague, and confirmation of the previous news of his landing in England. Andros required Winslow to produce the Prince's declarations; but he refusing to do so, was imprisoned for not communicating these important public documents to the Governor-General of New England, who certainly had a right to know their contents.

The intrigue of Phipps and Mather, in London, which prevented the transmission to Andros of the Prince of Orange's confirmatory letter of the twelfth of January, and of the Privy Council's dispatches of the nineteenth of February, now produced its intended result. That active divine, Increase Mather, had written home, that "a charter with larger power" for Massachusetts, would be obtained from James. It was plausibly argued by Mather's correspondents, that, if favor might be expected from James, much more would surely come from William. The success of the Calvinistic Dutch Prince became the earnest prayer of the New England Puritans. Although it was well understood by Louis, and Seignelay, in France, that the Protestant Andros would at once declare for William, if he should become the Sovereign of England, (*Col. Doc. IX.*, 403, 404,) the chief leaders of opinion in Massachusetts chose to pronounce otherwise. What they wanted to get—rightly or wrongly—was a restoration of the former separate charter government of the colony. Accordingly, they rumored that by his Proclamation of January to hinder the landing of any "foreign force" in New England, Andros had meant to oppose the commands of William, if he should become his lawful Sovereign. The Boston merchants who had sent

\* It is remarkable that Mr. J. G. Palfrey, the most recent historian of "New England," who frequently quotes what he calls the "*O'Callaghan Documents*," abstains from any allusion to this earliest intelligence received in America, of the landing of William the Third in England, which is printed, in full, in the *New York Colonial Documents*, III., 591, 660.



supplies to the Indians in Maine, and others whose illicit trading had been stopped, joined in the conspiracy against the Governor. By this time there was great excitement in and around Boston: and Andros wrote to Brockholls at Pemaquid, on the sixteenth of April, that "there is a general buzzing among the people, great with expectation of their old charter, or they 'know not what:'" (*Hutch.* I., 372.) But the most reflecting Massachusetts minds saw that the American Plantations of England must necessarily follow the fate of their mother country; and that it would be wise to await the event in that country. As swings the ship with the tide, so must swing her yawl. So, the "principal gentlemen in Boston" after consultation agreed that they would, if possible, "extinguish all essays in 'the people towards an insurrection.'" Yet, if an "ungoverned *mobile*" should push matters to extremity, those "principal gentlemen" would themselves head the movement, and secure any official rewards that might follow its success. Accordingly, the young Cotton Mather drew up a prolix: "*Declaration of the gentlemen, merchants, and inhabitants of Boston, and the country adjacent*," explaining their intended revolt, and their purpose to secure Andros and his officers, "for what justice orders from his Highness 'with the English Parliament shall direct, lest, ere we are aware, we find (what we may fear, 'being on all sides in danger' ourselves to be by 'them given away to a Foreign power, before 'such orders can reach unto us.'" (*Magnalia*, I., 179, 180; *Hutch.*, I., 381; *Force's Tracts*, IV., ix., x.)

There was certainly no "Foreign power" able or likely to damage New England in the Spring of 1689, except the French Canadians and the Savages, against whom Andros had been the whole winter endeavoring to defend Maine. That he would have "given away" New England to Louis, was not believed by Louis himself; (*N. Y. Col. Doc.*, IX., 403, 404.) But this absurd intent was charged against Andros, with the design of recommending to William a Colonial revolt he did not desire, and which must necessarily embarrass his government. The train thus carefully prepared was admirably fired. It was noised about, that Boston was to be destroyed by the New York Mohawks, and by mines under the town: that the soldiers in Maine were all poisoned with rum; and that a French fleet of thirty sail was hovering on the coast; (*Palmer*, 9.) These and other absurd stories were so generally circulated, that insurrection could not be restrained. On the eighteenth of April, the populace in and around Boston rose in arms, seized Captain George, of the Royal frigate *Rose*, and imprisoned Sheriff Sherlock, with Randolph, Farewell, and other obnoxious officials of the New England government. About noon,

Bradstreet, the last Governor of Massachusetts, under its cancelled charter, with several other prominent Boston citizens, assembled in the Royal Council Chamber at the Town-house; and after Cotton Mather's verbose declaration had been read from the balcony, they notified Andros, who was then at the fort, to surrender the government, "to be preserved and disposed according to order 'and direction from the Crown of England, 'which suddenly is expected may arrive.'" A boat had meanwhile been sent ashore from the *Rose* frigate, to bring off the Governor. But as he was going down to embark, he was met by an armed party bearing the summons from those assembled at the Town-house. Surprised at this demand for which he knew "no cause or occasion," Andros, with several attendants, went to meet its signers at the Royal Council Chamber. As he passed thither, "the streets were full of 'armed men; yett none offered him or those 'that were with him the least rudeness or 'incivility, but, on the contrary, usual respect.'" At the Council Chamber, where, among the civilians, five Boston ministers were very busy, the Governor was ordered by the conspirators to be imprisoned along with Graham, West, Palmer, and other subordinates of the Dominion. But the mutineers, who "broke open the Secretary's 'office," missed finding "Sir Edmund's papers;" and the Great Seal of New England seems also to have disappeared at this time; (*Col. Doc.* III., 582, 723, 724; *Hutch. Coll.*, 567-575.)

And now that Andros was safely in jail, the question arose how the Government of the Dominion of New England was to be lawfully administered. Had he succeeded in his attempt to embark on the *Rose* frigate, and gone in her to Newport or New York, the course of subsequent events would have been very different. The seat of the New England Government would have been changed; but the government itself would have been maintained. This made the Massachusetts insurgents especially anxious to secure the person of Andros. Under the King's commission, Lieutenant-Governor Nicholson was to succeed his chief only in case of his death or absence from the Territory. The Governor's forced incapacity had not been contemplated. (*Col. Doc.* III., 542.) Perhaps the imprisonment of Andros in Massachusetts did not strictly entitle Nicholson to assume the government of New England. Yet, next to Andros, he was the only representative of the English crown who had any right from that crown to chief authority in the Dominion. Certainly, no maladministration could be alleged against Nicholson, as it had been charged against Andros. But those who imprisoned their Royal Governor, meant to rend consolidated New England into pieces. Their act was only "secession." Mas-



sachusetts did not want union with her sister Colonies, unless she could control that union, as she had controlled the New England Confederacy of 1643. She pined for the separate local government which she had enjoyed under her perverted and abrogated charter. It was very galling to her, that, in common with neighboring British Colonies, she should be subjected by her Sovereign to the authority of his own Governor-General. Although but a subordinate English Colony, without a charter, she determined to secede from the rest of New England. Accordingly, a Council of Safety assumed the direction of affairs in Massachusetts, and hastened to withdraw the garrisons which Andros had carefully established in Maine. The last Colonial charter officers, chosen in 1686, were reinstated, until orders should come from England. On the twenty-ninth of May, Phipps arrived at Boston, with the dispatches addressed to Andros by the English authorities at Whitehall. Finding that the Governor was in prison, Phipps opened the letters directed to him; and the acting magistrates of Massachusetts, the same afternoon, proclaimed William and Mary, according to the Privy Council's orders to Andros of nineteenth February, which he would doubtless have cheerfully obeyed, if they had been dispatched to him as originally intended. (*Col. Doc. III.*, 572, 583, 587, 588; *Chalmers*, I., 431, 469.)

Thus, the intrigue begun by Phipps and Mather at London, was completed at Boston. Without the knowledge and against the purpose of William, his Dominion of New England—which had hardly lasted eight months after the annexation of New York and New Jersey—was “dis-united” by the rebellious secession of Massachusetts. The name which James the First had given survived in history; but the consolidated, actual New England of James the Second never more existed. And thus, Massachusetts became the first practical exponent, on the American continent, of that extreme doctrine of “State Rights,” which afterwards produced so much national disorder. The Boston notion of “secession” quickly spread throughout the other New England Colonies. Plymouth—as Wiswall wrote to Hinckley—did not like “to trot after ‘the Bay horse.’” (*Mass. H. S. Coll.*, xxxv., 301.) Therefore, Plymouth set up again her old Patent government; and so Plymouth seceded from New England. Rhode Island had no sympathy with the persecutors of Anne Hutchinson and Roger Williams, who had now imprisoned Andros; yet, to avoid anarchy, she replaced her former magistrates under her charter; and so Rhode Island seceded. Connecticut—which had adroitly coquetted with both Massachusetts and New York, and did not wish to be governed by either—boldly resumed her charter government; and

secession was triumphant. Before the summer of 1689, “New England” was once more resolved into her several constituent Colonies.

What happened in New York, after the deposition of Andros, may perhaps be detailed on some future occasion.

It only remains to be observed at this time, that what is often called the “*Revolution in New England*,” in the spring of 1689, cannot be justified on the grounds maintained by the English nation, which after the abdication of James, made William and Mary its King and Queen. England as a nation had all the attributes of Sovereignty; and what that nation did, required no confirmation elsewhere. On the other hand, New England was a Colonial dependency of the Mother Country; bound to follow the fate of that country, as long as “the Dominion” was dependent. In none of the mutinous movements in that Dominion was there any thought of making any one of its constituent colonies independent of England. On the contrary, the foremost insurgents in Massachusetts most loudly protested their subjection to English authority, and their loyalty to “the Crown of England.” This was precisely the doctrine of their Governor General, whom by imprisoning, they prevented from executing the orders sent him by that Crown. If they had meant to declare themselves independent of the Mother Country, the Massachusetts mutineers against Andros had a perfect right to revolt from England; and history would have applauded their rebellion. They might have failed in their attempt at that time; yet, at any rate they would have tried to vindicate the principle of man's right to self-government. But this grand idea was not the Boston notion of 1689. That notion was to swing Massachusetts back again to her former condition of an English corporation, so that her Puritan ministers might control a colonial oligarchy, which would, among other things, evade the execution of the English navigation laws. This was not a consistent position for a subordinate, loudly loyal, English colony to assume. Yet it was the attitude in which Massachusetts placed herself; unsuccessfully in regard to most of her intended objects. There can be no just comparison of her selfish colonial mutiny against her King's subordinate Governor in 1689, with her grand colonial revolt against her King himself in 1776. The one was a double-dealing insurrection of avowed English subjects; the other was a defiant rebellion of American freemen, who boldly renounced their allegiance to England.

But history tells us that there was, at least, one common cause of colonial grief in both these epochs. The oppressive navigation laws of England, which were meant to cripple all colonial

commerce, had much to do with the deposition and imprisonment of Andros. And here, let me say that those laws survived until the spring of 1849, when they were finally abolished by the British Parliament, mainly through the personal influence and exertions of that eminent American Historian, now an officer of this Society, who then so admirably represented his country in England. I repeat, that those English navigation laws had much to do with the New England insurrection of 1689; as they had much to do with the American Revolution of 1776. From "the common gale in Boston," on the twenty ninth of May, 1689, Randolph, the imprisoned Secretary of the Dominion, thus wrote to the Plantation Committee at London: "My LORDS: Notwithstanding all the pretensions of grievances mentioned in their papers, and cries of oppression in the Governor's proceedings, it is not the person of Sir Edmund Andros, but the government itself, they design to have removed, that they may freely trade." (*Col. Doc.*, III., 581.)

### III.—AN APOLOGIST FOR FALSEHOOD.

A few days since, while discussing the subject of "American Heroes and Statesmen," *The Boston Daily Evening Transcript* indulged itself in the following remarks:

"While on this subject, we cannot forbear to deprecate the denationalizing tendency of any and every attempt to diminish reverence for the fathers of the Republic, who, whatever may have been their personal errors, as citizens and patriots have become historically pre-eminent all the world over; and whose example and writings are sacred precedents to lovers of freedom and humanity. It is especially unworthy of historical students and societies to sanction that 'folly' which is 'the martyrdom of fame.'

"Israel Putnam's character has been attacked with virulence; Hamilton and Jay disparaged; old slavery-misdemeanors in Massachusetts raked up and 'set in a note-book'; and, the other day, an American historical magazine defended the insulting conduct of Genet at the expense of Rufus King and other high-minded Federalists; while here is an elaborate defence called forth by a national historian's reflections upon the career and character of one of Washington's most trusted friends, and America's pure and able and patriotic officers of the Revolution."

The *Transcript* is an excellent paper, and its management is evidently in good hands; yet we incline to the belief that in this instance it has forgotten itself in the earnestness of its desire to

slur three writers, not one of whom it has the courage to attack more openly and with the evidence in its hand.

Whether or not the telling of the Truth on any subject is more "denationalizing" in its "tendency" than the publication of Falsehood would be, we leave to the *Transcript* to determine; we shall be content, meanwhile, with the information which we have already received, that "righteousness exalteth a nation, while sin is a reproach to any people." (*Proverbs*, xiv. 34.) Whether or not "reverence" is due to any one, of any period, beyond his merits, is also, to us at least, somewhat questionable, notwithstanding the precedents which we find in the various Histories of Massachusetts, and in the Addresses delivered before the different New England Societies on Forefathers' Day; and if we shall adhere, in our ignorance, to the notion that "the fathers of the Republic" were only men—in too many instances, only frail, selfish, and unscrupulous partizans, like many whom we see every day—and entitled only to the same treatment as other men, we trust the *Transcript* will pardon us.

We are not insensible of the fact that Mr. Bancroft has so read the evidence and so considered it, that his "reverence" for "the fathers of the Republic" has been severely shaken, and that he has had the courage to say so. Greene and Schuyler, Sullivan and Putnam, Reed and Wayne, are among those whose reputations have suffered at his hands; and his allusions to the "ambition" of Jay and the questionable descent of Hamilton, we are aware, have aroused the indignation of some of the descendants of those distinguished men. We have read History, in some of these cases, with a different result; yet we have never supposed, before, that the fate of the Republic or the salvation of either of us depended on either Mr. Bancroft's conclusions or our own.

We are not insensible of the fact, also, that the "old slavery-misdemeanors in Massachusetts" have been "raked up and 'set in a note-book,'" in the face of the repeated assurances of modern Massachusetts historians, jurists, poets, orators, politicians, "heroes, and statesmen," that their fathers had never been guilty of such "misdemeanors," and of the persistent pretensions to superior authority in the Republic, of the descendants and successors of those who had thus been falsely claimed as the champions of "Freedom and Humanity," in by-gone ages.

We are not insensible of the fact, also, that THE HISTORICAL MAGAZINE for November last contained an article on "The Citizen Genet," in which all the papers—those which opposed him as well as those through which he defended himself—were published *in extenso*. We are insensi-



ble of the fact, if it is a fact, that that article "defended the insulting conduct" of any one "at the expense" of any one, the remarks of the *Transcript* to the contrary notwithstanding; although it is very evident that our Boston contemporary has, itself, convicted "Rufus King and "other high-minded Federalists" of some wrongdoing, on the testimony presented in that article.

Mr. Bancroft, we have no doubt, is able to take care of his own reputation as a writer. No one knows better than the *Transcript* that Mr. Moore needs no assistance in the protection of his *Notes on the History of Slavery in Massachusetts* from what seems suddenly to have become orthodox in that Commonwealth—the fictions of her so-called Historians, and the falsehoods of her "Heroes and Statesmen." THE HISTORICAL MAGAZINE, also, even in the face of those who have at last unmasked their batteries and hoisted the banners of Reverence and Falsehood for that of Truth, under which they have heretofore assumed to act, considers itself competent to protect itself and any cause which it shall be pleased to advocate.

Before we dismiss the subject, we beg to be indulged with permission to offer a suggestion or two for the private ear of the *Transcript*.

We have never supposed that the work of the Revolution in America was performed, as the miracles were performed, by the direct action of the Almighty; and, even in the face of the "de-nationalizing tendency" of some irreverent modern historians, hereabouts, we have adhered to the idea that *men*, just such as those whom we see every day, in the streets of New York and Morrisania, were the instruments, in the hands of the Supreme Disposer of events, by which it was accomplished. It was not the first time, nor will it be the last, when God hath chosen the foolish things of this world to confound the wise, and the weak things of the world to confound those which are mighty, and vile things of the world, and things which are despised, and things which are not, to bring to naught things that are, that no flesh should rejoice in his presence.

Entertaining those ideas, we have supposed, also, that if Israel Putnam and Nathaniel Greene, Alexander Hamilton and John Jay, Rufus King and Henry Knox, or any others, have received more than the shares of credit therefor which justly belonged respectively to them, there were those to whom more credit was due than they have yet received; and it is on the question of a correction of these several accounts—current of fame, that the *Transcript* has seen fit to become the apologist for wrong-doing.

The great record of New England's "patriotism" long since denoted, as her opinion, that Charles Lee was better qualified to command the armies of the Revolution than was George Wash-

ington; and the same hands also posted on her ledgers, Philip Schuyler's honest credits on the right-hand side of the dishonest account of Horatio Gates. Neither "reverence for the fathers" of the Republic" nor fear of their sons will prevent us, as we shall have occasion, to transfer to Washington and to Schuyler the credits which have always belonged, respectively, only to them.

The Legislature of Connecticut duly "Resolved," a few years since, that that State had furnished, in Israel Putnam, "not only a hero" but a commander" for Bunker's Hill; and "reverence" for that ancient humbug induces *The Transcript* to defraud William Prescott, of Groton, and Thomas Knolton, of Ashford, of the honor which belongs only to them; while its lips are sealed when they should condemn him as an imbecile at Long Island and a traitor at West Point.

Hamilton and Jay must not be "disparaged" by an exposure of the fictions of their descendants and biographers, or by statements which shall conflict with those fictions, if *The Transcript's* "reverence" is to be regarded as the true rule of an historian's action.

We are not among those who respect Hamilton the less because, as John Adams said, he was "the bastard brat of a Scotch pedlar" instead of a scion of the Duke of Hamilton, in Scotland, nor Jay because his grandfather was a pirate instead of a Hugueontic saint, exiled for conscience sake; we only insist that the paramour of Mrs. Reynolds shall not continue to be embalmed in History as a pattern of Virtue and Integrity; nor the great leader of the Royalists in the Provincial Congress of New York, in 1776, as a model of Republican simplicity or a champion of the "inalienable" Rights of "all men."

Rufus King's malignant and too-successful opposition to Thomas Addis Emmett—the kinsman of his early friend—and the Irish Republicans of '96, and Henry Knox's toryism in Boston, even after the slaughter at Lexington and the glories of Bunker's Hill had separated the Royalists from the Republicans, throughout America, may properly find shelter, it seems, in an unholy "reverence for the fathers of the Republic," particularly for the "high-minded Federalists;" and "it is especially unworthy of historical students and societies," we are told, to reprint any document from which may be learned, even incidentally, that neither of them hesitated to lie for the promotion of their party ends, nor to blast the reputation of a stranger, unjustly, when it became necessary to conceal a partizan violation of the provisions of the first Treaty to which, in their darkest days, the United States had been willing parties.

We have offered these suggestions, as we have

said, for the private ear of *The Transcript*; whenever that sheet shall be pleased to give us another lesson in Ethics, we shall probably have more to say on the subject, publicly. In the mean while, its advocacy of Falsehood in History for Reverence sake will serve to illustrate the worth of its judgment on all subjects relating to the past; and it affords a measure, also, for the morality of that community where it has been so long a favorite.

H. B. D.

#### IV.—THE NATCHEZ OF LOUISIANA, AN OFFSHOOT OF THE CIVILIZED NATIONS OF CENTRAL AMERICA.

BY D. G. BRINTON, M.D.

Of all the tribes north of Anahuac none seem to have so nearly reached civilization as the Natchez of Louisiana. "Among them alone," remarks Gallatin, "we find, connected together, "a highly privileged class, a despotic government, and something like a regular form of "religious worship." (*Trans. Am. Antiq. Soc.*, ii., 113.) They erected temples on artificial mounds; they worshipped idols of stone, wood, and baked clay; they had a systematic helioatry, human sacrifices, and a distinction of castes four in number, like the Hindus, and not a whit less rigidly enforced. The position of this enigmatical people in American Ethnology is wholly undetermined. I believe there is evidence to prove them an offshoot of the great Maya family of Yucatan; cousins, therefore, of the builders of Uxmal, Palenque, and Chichen Itza.

In such researches, tradition, though a deceitful, is not a despicable guide. As recorded by Le Page du Pratz (*Hist. Louisiana*, ii., 110), it assigns the Natchez an origin in the Southwest, and a migration from some point on the shores of the Gulf of Mexico. Now the Mayas of Yucatan, who were likewise idolaters, sun-worshippers, mound-builders, and given to human sacrifice, had a colony, the Huastecas, Southwest of the Natchez, where the Rio Panuco empties into the Gulf. Dr. Vater and Albert Gallatin showed that their language was largely derived from the Mayas, which but verified an ancient Mexican tradition to the effect that at a remote date the Huastecas came by sea from the East, bringing with them painted books and a strange religion. (SAHAGUN *Hist. de Nueva España*, Lib. X., cap. 29.) While Hernando D'Escalante Fontaneda was a prisoner in Florida, he saw Indians from Yucatan and Honduras, thrown ashore in their attempt to reach the great river Jordan, the Mississippi, of which, obviously, some account had reached them. (FONTANEDA, *Smith's Trans.* 24.) It would seem that on the adjacent Island

of Cuba the Mayas certainly had a colony, if we can rely on Peter Martyr, who in his tract "*De Insulis nuper Inventis*" avers its natives conversed intelligibly with the Yucatanese—"quorum idioma, si non idem, consanguineum tamen."

While these are interesting hints, the decision must be pronounced by a comparison of languages.

The Natchez offered one of several examples among American Indians where in the same community two independent tongues were employed, one by the nobles, the conquerors, another by the vulgar, the conquered. In their instance, the latter of these, called *la langue vulgaire*, *la langue puante*, or the *Stinkard tongue*, was beyond doubt a dialect of Choctaw. Dumont and Dupratz give the following specimens, over against which I set the Choctaw equivalents:

	STINKARD NATCHEZ.	CHOCTAW.
good	athioema	achukma
ten	pocole	pokoole
great	tschito	chito

But the language of the nobles lends itself to no such relationship. We have of it a few words, not a dozen altogether, in the early French writers; and, in 1826, Albert Gallatin obtained from a Natchez, and subsequently published in his vocabularies, a hundred and twenty-three words. At that time nearly a century had elapsed since the tribe had been almost exterminated by the French, and had fled for refuge among the Choctaws. No wonder, therefore, that among these words are some evidently adopted from their protectors and allies; for example:

	NATCHEZ.	CHOCTAW.
sky	nasooktah	sootah
sea	kootshel	bokooshah
deer	tza	issa
tobacco	hakahoo	hakchooma

But the mass of words are from a totally different stock. Not counting the adventitious Choctaw words, and some whose equivalents in Maya I have not found, there remained for comparison just about one hundred words.

For the Maya and its dialects, I have depended upon Gallatin, Dr. Vater, and Dr. Scherzer. It is a difficult language to bring to writing. Few more so. It has five consonants we cannot express, nasals and gutturals. Had I allowed myself to write these vocabularies in phonetic uniformity, the similarities would have been more obvious. This I have refrained from doing, and must beg the reader, therefore, to remember that in the Natchez words the vowels a, e, i, o, are to be pronounced as in French, u as in *but*, oo, y and all consonants as in English; that in the Huasteca and Maya the vowels are as in Spanish, the

h as in English, hu as our w, the x, k and c before vowels usually guttural, while the Maya dialects, the Quiche, Poconchi, Kachikel, which I have designated by their initials, are according to German orthography. The only liberty I have allowed myself is in the Natchez to drop the pronominal suffix *nesoo*, my, and from three of the numerals the affix *uita*, which, attached to the first four numerals, with slightly varying orthography in Gallatin's vocabulary, is clearly one of those numeral terminations so common in these languages.

*Comparative Vocabulary of the Natchez, Huasteca, and Maya tongues.*

ENGLISH.	NATCHEZ.	HUASTECA.	MAYA.
mother	kwal	ixal	ixal
husband	tahmahl	tomol	
woman	tahmahl	tomol	
son	akwal		lakpal
daughter	mahn-oonoo		iz-mehen
boy	tamun-oonoo	tam	mehen
brother	ka ka	atatal	
child	tsit sie	tzitzicach (fem. pl.)	chichen (small)
head	apoo		pol
eyes	oktool		uich, tuknel
nose	shamats	zam	tzam (Q.)
mouth	heche	huy	chi, tschi (Q.)
tongue	its-uk		uak
body	iwit		uinctil
bone	ikwel		wuakel (P.)
blood	itsch	xihtz	kik
friend	keta		etail (i/a suffix)
star	tookul		ek
day	wit		kil, quih (P.)
thunder	pooloopoolooluh	ululul	
fire	wah		k'ahk
water	koon		cha (Q. P.), kaanab (the sea)
river	wol	hual-ja	hal-tun (rivulet)
stone	ohk		tok (flint stone)
tree	tshoo		che, tsche (Q. P.)
white	kakap	zachi	zazac
red	pahkop		chak
small	tsikistiktenoo	tzicat, chichie	chichen
wolf	uttuwah		tiu (Q. P.), u-tiu (K.)
bad	wattaks	atax	kakas
all	lah-takop		lah
house	hahit		pati (Q.)
we	tuca-hanehi		tu, ca
one	hu	hun	hun, hu
two	ah	tzab	ca
four	gan		can
seven	uk-woh	buk	uuk
eight	upku-tepish		uaxac, uapxae (Q.)
twenty	oka-poo		hunkal
to drink	pokoo		ukul (l the intrans. term.)
to sleep	nanole		uenel
servants	thecou		tzic, tzicah (to obey)
chief or sun	liquip		leh-quih, great sun
come (imper.)	caheuch	cachich	

The last three words are taken from early French authorities.

It appears that from the one hundred words compared, *five* have affinities more or less marked to words peculiar to the Huasteca, *thirteen* to words common to Huasteca and Maya, and *thirty-nine* to words of similar meaning in the Maya and its dialects. It will be further ob-



served that the letters d, f, g, j, q, r, v, which are wholly wanting in Maya, are also very rare or wholly absent in Natchez.

Concerning grammatical structure little can be said. It is clear from the vocabulary that possessive pronouns and adjectives follow the noun they qualify. This prevails in Choctaw, but neither in Huasteca nor Maya. Dupratz says the substantives in the noble language were declined as in Latin. There is in Maya a sort of declension, a vocative, a plural, an indefinite and a definite termination. The plural ending in both Huasteca and Maya is ob. Many Natchez words end in op. In the degeneration of language, it is quite common for plurals to be used as singulars; perhaps this is the case here.

If this analysis of language and traditions proves the Natchez a Maya colony, the interesting questions arise, what influence did they exert on the early semi-civilization of the Mississippi valley? were there other tribes of like descent among their neighbors? and is that great "Empire of the Natchez" which looms up, vast and dim, in the ancient traditions of all the Gulf tribes, and which such a careful Ethnologist as Theodor Waitz (*Anthropologie der Naturvölker*, Th. iii., s. 218) is inclined to accept as a historical truth, a reminiscence of actual fact, or but one of those dreams of former greatness which perishing nationalities ever delight to frame?

## V.—GEMS FROM THE DIADEM OF MASSACHUSETTS.

### 1.—HER REFUSAL TO FURNISH HER QUOTA OF MILITIA, IN THE WAR WITH GREAT BRITAIN.

[*Governor Strong to the Justices of her Supreme Judicial Court.*]

BOSTON, August 1, 1812.

The Honourable the Justices of the Supreme Judicial Court of the Commonwealth of Massachusetts.

GENTLEMEN:

Having laid before the Council of this State a letter from the Secretary of War, of the 12th of June last,\* and letters dated June 22nd† and

\* The following is a copy of the letter here referred to:

"WAR DEPARTMENT, June 12, 1812.

"SIR:

"I am directed by the President to request your Excellency to order into the service of the United States, on the requisition of Major General Dearborn, such part of the quota of militia from the State of Massachusetts, detached conformably to the Act of April 10th, 1812, as he may deem necessary for the defence of the sea-coast.

"I have the honor to be,

"Your obedient servant,

"W. EUSTIS.

"His Excellency Caleb Strong,

"Governor of Massachusetts."

† The following is a copy of the letter here referred to:

July 15th,\* which I received from Major General Dearborn, and also a letter which I have received from the Secretary of War, of July 21, 1812,† requesting their advice what measures, ought to be adopted in consequence of the requisition expressed in the said letters: the Council thereupon advised that, as upon important questions of law and upon solemn occasions the Governor and Council have authority by the Consti-

"HEAD QUARTERS, BOSTON, June 22d, 1812.

"SIR:

"I have received instructions from the President of the United States to call on your Excellency for such part of the quota of militia from the State of Massachusetts, detached conformably to the Act of Congress of April 10th, 1812, as I may deem necessary for the defence of the sea-coast; and I now have the honor of requesting your Excellency to order fourteen companies of artillery and twenty-seven companies of infantry into the service of the United States, for the defence of the ports and harbors in this State and the harbor of Newport.

"The companies are intended for the following ports and harbors, viz.: Passamaquoddy, one company of artillery and four companies of infantry, with a full complement of officers, to be commanded by a Major; Marblehead, Salem, Cape Ann, and Newburyport, two companies of artillery and two companies of infantry; Boston, four companies of artillery and eight companies of infantry, with one Lieutenant-Colonel and one Major; and eight companies of infantry for the defence of Rhode Island.

"Having received official information that War has been declared by Congress against Great Britain, your Excellency will perceive the expediency of giving facility to such measures as the crisis demands; and, as the defence of the sea-coast of New England is, at present, confided to my direction, I shall, with confidence, rely on all the aid and support that the respective Governors can afford, and more especially on that of the Governor of the important State of Massachusetts; and I shall, at all times, receive with the greatest pleasure, any advice or information that your Excellency may be pleased to communicate.

"With respectful consideration,

"I am, Sir, your obedient servant,

"H. DEARBORN.

"His Excellency Caleb Strong,

"Governor of Massachusetts.

"Omitted in the above—Machias, one company of artillery; Penobscot, one company of artillery and two companies of infantry, to be commanded by a Major; Wiscasset and Damariscotta, two companies of artillery, one each; Kennebunk, one company of artillery; Portland, two companies of artillery and three companies of infantry, to be commanded by a Major."

\* We have not found a copy of this letter in any of the collections of papers of that period, and are, therefore, unable to lay it before our readers.—ED. HIST. MAG.

† The following is a copy of the letter here referred to:

"WAR DEPARTMENT, July 21, 1812.

"SIR:

"By information received from Major General Dearborn, it appears that the detachments from the militia of Massachusetts, for the defence of the maritime frontier, required by him under the authority of the President, by virtue of the Act of the tenth of April, 1812, have not marched to the several stations assigned to them.

"Inasmuch as longer delay may be followed with distress to a certain portion of our fellow citizens, and with injurious consequences to our country, I am commanded by the President to inform your Excellency that this arrangement of the militia was preparatory to the march of the regular troops to the Northern frontier. The exigencies of the service have required and orders have accordingly been given to Major General Dearborn, to move the regular troops to that frontier, leaving a sufficient number to man the guns in the gar-risons on the seaboard. The execution of this order increases, as your Excellency cannot fail to observe, the necessity of

tution to require the opinions of the Justices of the Supreme Judicial Court, it is advisable to request the opinion of the Justices of that Court on the following questions, to wit:

1. Whether the Commanders-in-chief of the militia of the several States have a right to determine whether any of the exigencies contemplated by the Constitution of the United States exist, so as to require them to place the militia, or any part of it, in the service of the United States, at the request of the President, to be commanded by him, pursuant to Acts of Congress.

2. Whether, when either of the exigencies exist authorizing the employing of the militia in the service of the United States, the militia thus employed can be lawfully commanded by any officers but of the militia, except by the President of the United States.

In conformity with the above advice of Council, I request you, Gentlemen, to state to me your opinions on the questions above mentioned, as soon as conveniently may be. The Secretary will deliver you, herewith, the letters above mentioned.

I am, Gentlemen, with great respect,  
Your most obedient servant,  
CALEB STRONG.

[*The Reply of the Justices.*]

To his Excellency the Governor and the Honorable Council of the Commonwealth of Massachusetts:

The undersigned, Justices of the Supreme Judicial Court, have considered the several questions proposed by your Excellency and Honours for their opinion.

By the Constitution of this State, the authority of commanding the militia of the Commonwealth is vested exclusively in the Governor, who has all the powers incident to the office of Commander-in-chief, and is to exercise them personally, or by subordinate officers under his command, agreeably to the Rules and Regulations of the Constitution and the Laws of the land.

While the Governor of the Commonwealth remained in the exercise of these powers, the Federal Constitution was ratified, by which was

vested in the Congress a power to provide for calling forth the militia, *to execute the laws of the Union, suppress insurrections, and repel invasions*, and to provide for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers. The Federal Constitution further provides, that the President shall be Commander-in-chief of the army of the United States and of the militia of the several States when called into the actual service of the United States.

On the construction of the Federal and State Constitutions must depend the answers to the several questions proposed.

As the militia of the several States may be employed in the service of the United States for the three specific purposes of executing the Laws of the Union, of suppressing insurrections, and of repelling invasions, the opinion of the Judges is requested, whether the Commanders-in-chief of the militia of the several States have a right to determine whether any of the exigencies aforesaid exist, so as to require them to place the militia, or any part of it, in the service of the United States, at the request of the President, to be commanded by him, pursuant to Acts of Congress.

It is the opinion of the undersigned, that this right is vested in the Commanders-in-chief of the militia of the several States.

The Federal Constitution provides, that when either of these exigencies exist, the militia may be employed, pursuant to some Act of Congress, in the service of the United States; but no power is given, either to the President or to Congress, to determine that either of the said exigencies does in fact exist. As this power is not delegated to the United States by the Federal Constitution nor prohibited by it to the States, it is reserved to the States respectively; and, from the nature of the power, it must be exercised by those with whom the States have respectively entrusted the chief command of the militia.

It is the duty of these Commanders to execute this important trust agreeably to the Laws of their several States respectively, without reference to the Laws or officers of the United States, in all cases, except those specially provided for in the Federal Constitution. They must therefore determine when either of the special cases exist, obliging them to relinquish the execution of this trust and to render themselves and the militia subject to the command of the President.

A different construction, giving to Congress the right to determine when those special cases exist, authorizing them to call forth the whole of the militia, and taking them from the Commanders-in-chief of the several States and sub-

"hastening the detached militia to their several posts, as assigned by General Dearborn, in which case they will, of course, be considered in the actual service and pay of the United States.

"The danger of invasion, which existed at the time of issuing the order of the President, increases; and I am specially directed by the President, to urge the consideration to your Excellency, as requiring the necessary order to be given for the immediate march of the several detachments specified by General Dearborn, to their respective posts.

"I have the honor to be,

"Your obedient servant,

"W. EUSTIS.

"His Excellency Caleb Strong,

"Governor of Massachusetts."

jecting them to the command of the President, would place all the militia in effect at the will of the Congress and produce a military consolidation of the States, without any Constitutional remedy, against the intentions of the People, when ratifying the Federal Constitution. Indeed, since the passing of the Act of Congress, of February 28th, 1795, vesting in the President the power of calling forth the militia when the exigencies mentioned in the Constitution shall exist, if the President has the power of determining when those exigencies exist, the militia of the several States is in fact at his command and subject to his controul.

No inconveniences can reasonably be presumed to result from the construction which vests in the Commanders-in-chief of the militia in the several States the right of determining when the exigencies exist, obliging them to place the militia in the service of the United States. These exigencies are of such a nature, that the existence of them can be easily ascertained by, or made known to, the Commanders-in-chief of the militia; and when ascertained, the public interest will induce a prompt obedience to the Acts of Congress.

Another question proposed to the consideration of the Justices is, whether, when either of the exigencies exist, authorizing the employing of the militia in the service of the United States, the militia thus employed can be lawfully commanded by any officer but of the militia, except by the President of the United States.

The Federal Constitution declares that the President shall be the Commander-in-chief of the army of the United States. He may undoubtedly exercise this command by officers of the army of the United States, by him commissioned according to law. The President is also declared to be the Commander-in-chief of the militia of the several States, when called into the actual service of the United States. The officers of the militia are to be appointed by the States; and the President may exercise his command of the militia, by the officers of the militia duly appointed. But we know of no Constitutional provision, authorizing any officer of the army of the United States to command the militia or authorizing any officer of the militia to command the army of the United States. The Congress may provide laws for the government of the militia, when in actual service; but to extend this power to the placing of them under the command of an officer, not of the militia, except the President, would render nugatory the provision that the militia are to have officers appointed by the States.

The union of the militia in the actual service of the United States with the troops of the United States, so as to form one army, seems to be a case not provided for or contemplated in the Constitu-

tion. It is therefore not within our department to determine on whom the command would devolve on such an emergency, in the absence of the President. Whether one officer, either of the militia or of the army of the United States, to be settled according to military rank, should command the whole; whether the Corps must be commanded by their respective officers acting in concert, as allied forces; or what other expedient should be adopted, are questions to be answered by others.

The undersigned regret that the distance of the other Justices of the Supreme Judicial Court renders it impracticable to obtain their opinions seasonably upon the questions submitted.

THEOP. PARSONS,  
SAMUEL SEWALL,  
ISAAC PARKER.\*

#### VI.—PRIVATELY PRINTED BOOKS IN AMERICA.—CONTINUED FROM VOLUME X., SUPPLEMENT, PAGE 45.

"Simultaneously with the *Siege of Detroit*, "was issued the *Obstructions to the Navigation of Hudson's River*, by E. M. RUTTENBER.†

"Most of the papers were gathered from the collection of documents preserved at Washington's Head Quarters at Newburgh. Mr. R.'s time did not permit of his making this work quite so full as was desirable, and the Notes were added by the Publisher. The scanty facts in the romantic sketch of Bernard Romans, of whom next to nothing was known among writers, were gathered by a very widely extended correspondence.

"Mr. SAMUEL H. PARSONS, whose ancestor was in command of that Department, in the time of the Revolution, made a liberal subscription to carry the work through the press, and to him it was dedicated, after the manner of the olden

\* On the fifth of August, 1812, the Governor communicated this opinion—which, from that day to this, has continued a part of the Law of the Commonwealth, and may be found in her published *Reports* (viii., 549-554)—to the Secretary of War, as the reason for his refusal to comply with the President's requisition for troops, closing his communication with the following words: "I am fully disposed to afford all the aid to the measures of the National Government which the Constitution requires of me; but I presume it will not be expected or desired that I shall fail in the duty which I owe to the people of this State, who have confided their interests to my care." The letter, entire, may be found in the *American State Papers*, Military Affairs, i., 323.—*Ed. HIST. MAG.*

† *Obstructions to the Navigation of Hudson's River*, embracing the Minutes of the Secret Committee appointed by the Provincial Convention of New York, July 16, 1776, and other documents relating to the subject, together with papers relating to the beacons. By E. M. Ruttenber. Maps and Wood Cuts. Albany, 1860.

It is uniform in size and style with the preceding volumes; and embraces seven pages of preliminary matter and two hundred and ten pages of text; and was carefully illustrated.—*Ed. HIST. MAG.*



"time; except that in these Dedications the "incense was tempered to suit a more fastidious "public. Although the subscriptions were now "nearly eighty copies, but five of the ten large "paper copies were called for, of which two "were made by a bookseller. I will here mention that throughout this enterprise no one "took more interest in it than the late Commander ROBERT TOWNSEND, whose name, with those "of his four brothers, appear in all the subscription tables published at the end of the volumes. "This work was peculiarly interesting to them, "as their ancestor, Peter Townsend, forged the chain that was stretched across the river.

"Mr. WINTHROP SARGENT, who had published "a volume of the Loyalist poetry of the Revolution, offered a collection of the *Loyal Verses of Stansbury and Odell*, which, with the introduction and notes that accompanied the text, constituted a volume which some competent critics regard as the most valuable one in the series.\*

"The subscriptions to this work were so near "the whole number printed, that a *Patron* was "not sought for it. Besides the four regular "subscribers to the large paper copies, which "consisted of Messrs. JAMES LENOX (the first "large-paper subscriber), J. CARSON BREVOORT, "JOHN CARTER BROWN and WM. MENZIES, the "author took a copy—in all five.

"At Newburgh I found an original Orderly "Book of Burgoyne's campaign, which was one "of the trophies of the capture. Although "the manuscript was deficient of two or three "leaves, it was thought to be an inviting subject, and forms the seventh volume in the "series.† It was ably edited by Dr. O'CALLAGHAN. In searching out the personal history of the officers mentioned in the text, many "facts were obtained which were here published "for the first time, procured by distant correspondence. It was a source of keen disappointment that no more could be obtained "relating to General FRAZER. A letter addressed "to a relative in Canada, was answered by "another kinsman in Van Dieman's Land, that "the family papers had been destroyed by fire, "and no facts remained in possession of his de-

"scendants. The subscription to this volume was "less than the preceding, and Mr. ROBERT TOWNSEND became its Patron. A more permanent "demand was expected for the work, and a larger "edition was printed than of any of the previous "volumes in the series. It was the fourth "volume issued during the year 1860.

"The eighth volume in the series was a collection of *Voyages up and down the Mississippi*, "made by several Jesuit Missionaries in the "seventeenth century.\* It was furnished by Mr. "JOHN GILMARY SHEA, whose researches in this "department of American history are so well "and favorably known. It was unaccompanied "by any engravings, but met with a ready patronage.

"Volumes IX. and X., and the last in the series, "consisted of the *Proceedings of the Commissioners of Indian Affairs, appointed by Law for the Extinguishment of Indian Titles in the State of New York*.† The original manuscript had "lain a quarter of a century in the library of "the Albany Institute, to which it was presented "by a descendant of PIERRE VAN CORTLANDT, one "of the last set of Commissioners. It was edited "with the customary ability and diligence of "Doctor HOUGH, and is accompanied by three "useful maps. It has not yet attracted the attention it deserves, when it is considered that "it is the only history of the manner in which "the present titles were obtained to nearly "the whole of the territory of the Six Nations.

"This series attracted but little attention until "the fall of 1864, when the sale of Mr. FOWLE'S "Library took place in Boston, at which they "sold at prices ranging from thirty to sixty-five "dollars a volume. The few remaining volumes "were immediately bought up at original prices, "and soon after the price of sets rose to four hundred dollars. Single volumes were sought for "to complete sets at almost incredible prices. "It is said that one hundred and twenty-five "dollars was offered in New York for one volume "wanted to make a set complete. No more than "ten large paper copies were printed, and it is "thought that not more than six or seven complete sets of large paper exist."

\* *The Loyal Verses of Joseph Stansbury and Doctor Jonathan Odell*: relating to the American Revolution. Now first edited by Winthrop Sargent. Albany, 1860.

It embraces one hundred and ninety-nine pages without any preliminary paging; and exactly uniform with the volumes previously issued.—ED. HIST. MAG.

† *Orderly Book of Lieut.-Gen. John Burgoyne, from his Entry into the State of New York, until his surrender at Saratoga, 16th Oct., 1777*. From the original manuscript deposited at Washington's Headquarters, Newburgh, N. Y. Edited by E. B. O'Callaghan, M.D. Maps and Plates. Albany, 1860.

It embraces ten pages of preliminary matter and two hundred and twenty-one of text; and it was carefully illustrated.—ED. HIST. MAG.

\* *Early Voyages up and down the Mississippi, by Cavalier, St. Cosme, Le Sueur, Gravier, Gagnas*. With an Introduction, Notes and an Index. By John Gilmary Shea. Albany, 1861.

It formed a handsome volume of a hundred and ninety-one pages.—ED. HIST. MAG.

† *Proceedings of the Commissioners of Indian Affairs, appointed by Law for the Extinguishment of Indian Titles in the State of New York*. Published from the original manuscript in the Library of the Albany Institute, with an Introduction and notes by Franklin B. Hough, Member of the Albany Institute. 2 vols.

The two volumes were paged continuously, making together, five hundred and one pages.—ED. HIST. MAG.

## VII.—THE FIRST DAILY NEWSPAPER IN THE WEST, AND THE FIRST TELEGRAPH LINE BETWEEN THE ATLANTIC AND THE MISSISSIPPI VALLEY.

The close of 1866 marks the completion of the fortieth year since the commencement of the first *daily* newspaper established between Albany and the Pacific Ocean, and the twentieth year since the Telegraph was first constructed across the Alleghany Mountains, between the sea-board cities and the Mississippi Valley.

Such events—the pioneers of the vast extensions and improvements in both departments of modern progress—form epochs in the history of our Continent. And yet, where is the book, even among works professedly chronicling remarkable events in history and statistics, wherein either of these important facts are mentioned? Hence, it is particularly desirable that such facts should be stated in the *AMERICAN HISTORICAL MAGAZINE*, as hints for persons who may hereafter write about the progress of the world in the Nineteenth Century.

### I.—THE FIRST DAILY JOURNAL OF THE INTERIOR

The Publisher and Editor of the first Western "daily" met with some friends in New York on the twenty-sixth of October, to "compare notes" at the close of the fortieth year since they thus pioneered the way of Western daily Journalism. The circumstances were thus briefly stated, editorially, in the *New York Evening Post*:

#### "THE FIRST DAILY JOURNAL WEST OF ALBANY.

"This 26th of October, 1866, completes the fortieth year since the beginning of the first daily newspaper established between Albany and the Pacific Ocean—a journal yet existing though partly changed in name—the *Rochester Daily Advertiser*, now known as the *Union and Advertiser*.

"The issue of this daily newspaper marked an era in the history of the Western press. Rochester was one of the places which earliest felt the impulse of the canal system—the lowly village sprang into city dimensions and prosperity with a degree of vigor at that time unequaled. The Erie canal—completed only the previous year, though for two or three years partly in operation—quickly developed the water-power, in milling operations, which has rendered Rochester celebrated as the source of 'Genesee Flour.' Entering early and largely into the forwarding business, the Rochester people for many years controlled the greatest portion of the vessels engaged in the canal trade, and exerted a strong influence on all questions concerning internal improvements. The advance

of Rochester in some other respects was scarcely less remarkable, though the growth of Chicago and other places soon after threw it comparatively in the shade.

"Noticing the establishment of the *Daily Advertiser*, the *Evening Post* of October 31, 1826, said—'Nothing can show, in a more striking point of view, the rapid increase of our population and internal commerce, than the fact that Rochester, which within a few years was a wilderness, is now enabled, by the number of its inhabitants and the activity of its trade, to support a daily paper.' 'When I saw your place in 1810, without a house,' said De Witt Clinton, writing to a friend in Rochester, 'who would have thought that in 1826 it would have been the scene of such a change?'

"In nothing is 'change' more remarkable than in the history of the press, since the *Rochester Daily Advertiser* was established. In 1826 the aggregate circulation of all the daily newspapers in America scarcely equaled the quantity of printed matter (considering the increased size of newspapers) now struck off in three hours by one of Hoe's ten-cylinder presses in some of the New York printing offices.

"The original publisher of the *Rochester Daily Advertiser* was Luther Tucker, and the editor Henry O'Reilly. The former is now, as he has been for thirty years, editor of the *Cultivator* and *Country Gentleman*; the latter has been connected with the telegraph system since its commencement. Before taking charge of the *Cultivator*, on the death of Judge Buel, its founder, Mr. Tucker had established the *Genesee Farmer*, which was the pioneer of the agricultural press in the West—remarkable as the first paper that popularized farming discussions; many of its contributors have since made enduring marks in agricultural literature."

### II.—THE ORIGIN OF THE TELEGRAPH SYSTEM.

The editorial pioneer of the Western daily press in 1826, Henry O'Reilly, was, twenty years later, in 1846, the pioneer telegrapher in establishing lightning intercourse between the Atlantic cities and the Mississippi Valley—the first Telegraph Line across the Alleghany Mountains having been put in successful public operation by him in December of that year.

This lightning line, called the Atlantic and Ohio Telegraph, was but the first section of the great range known afterwards as the "Atlantic, Lake and Mississippi Telegraph," or the "first division of the Atlantic and Pacific Telegraph," as Mr. O'Reilly styled the range of eight thousand miles, whereby he first electrically connected the different sections of the United States—which was the first great Telegraph range, not only in America, but in the world.



Wonderful as the Ocean Telegraph is, it is a curious fact, illustrative of the defective traveling and postal facilities in 1846 (at which time railroads had not reached even the Alleghany Mountains), that the sub-oceanic connection between the Old and New World does not annihilate as much time between America and Europe as O'Rielly's first Telegraph Line annihilated in the correspondence between the Mississippi River and the sea-board cities.

In those days, when stage-coaches did on that route what railroads now do so much more rapidly, it took longer time generally to convey letters and papers between New York and St. Louis than the Ocean steamers take for their voyages between New York and England. When the Telegraph first reached St. Louis, for instance, the "bad traveling" occupied about thirty days in taking letters and bringing answers between those great commercial cities.

The importance of the enterprise, communicated at such an early period of Telegraphing, and amid difficulties of most extraordinary character, may render interesting the following extracts from the address, whereby Mr. O'Rielly announces the completion of the line across the mountains to Pittsburgh—the line was extended, via Cincinnati and Louisville, to St. Louis within a year thereafter:

"ATLANTIC, LAKE AND MISSISSIPPI TELEGRAPH  
"LINE.

"*Section constructed across the Alleghanies.*

"\* \* \* The construction of the telegraph line between Philadelphia and Pittsburgh has fully realized the 'belief' expressed by me in a card published last month—that 'the whole route, from the sea-board line to the Ohio, would be completed by the 1st of January.' *The work is already done.* The 'iron cord' from Philadelphia was connected with the register of the Pittsburgh telegraphy on the 26th of December; and the Atlantic and Ohio line—the first section of the great central telegraph between the Atlantic, the lakes, and the Mississippi—is now ready for operation on the first of January; and thenceforward connecting Pittsburgh with Eastern cities by iron links and lightning messengers, annihilating barriers which the Alleghany Mountains have hitherto interposed against speedy correspondence between the Ohio river and the Atlantic sea-board.

"The satisfaction with which friends in Pennsylvania and New York will hail this result, a result accomplished 'in defiance of winter storms upon the mountains,' shall not be marred by any lengthy allusion now to 'other obstacles' which will soon find proper judgment beneath the public sentiment and the judicial tribunals of the land. I will only add,

"that if the faith and honor and justice which should characterize the telegraph enterprise, in its aspirations for public confidence, are outraged or assailed in the contest about 'other obstacles,' it will not be the fault of those men who generously combined their means and energies to sustain me in constructing this and other sections of the 'Atlantic, Lake, and Mississippi line,' a line which will be completed by my associates as certainly as the Mississippi runs Westward of Chicago and Cincinnati.

"HENRY O'RIELLY.

"Atlantic and Ohio Telegraph Office, }  
"Pittsburgh, Dec. 23, 1846." }

The papers through the Union published the following, as "the first despatches sent by lighting across the Alleghany Mountains:

"HEAD QUARTERS, Pennsylvania Militia, }  
"Pittsburgh, Dec. 29, 1846—3 P. M. }

*To the PRESIDENT of the United States:*

"The compliments of Adjutant-General Bowman to His Excellency James K. Polk, President of the United States. The Second Pennsylvania Regiment will be organized and ready to leave this place by the Sixth of January. The weather is mild, and the river in good order. Through the politeness of Henry O'Rielly, I have had the honor conferred on me of making the first communication by Telegraph west of the Alleghany Mountains, to the President of the United States, over the Atlantic and Ohio Telegraph Line.

"G. W. BOWMAN, Adjutant-General."

As soon as the above had been forwarded, the editors of Pittsburgh sent their compliments to that ornament of their profession, J. R. Chandler, Esq.,\* as follows:

"TO JOSEPH R. CHANDLER,

"*Patriarch of the Philadelphia Press:*

"The Press of Pittsburgh sends compliments 'by lightning to the Press of Philadelphia, this Twenty-ninth of December, in the year of our Lord, Eighteen Hundred and Forty-six.'"

The extension of the Telegraph, Westward, would have been made still more rapidly, had not Mr. O'Rielly been induced to leave his Western lines temporarily, in order to aid the Morse Patentees in completing the short line which they (or their Magnetic Telegraph Company) undertook to construct between Baltimore and New York—the short line from Washington to Baltimore having been previously built by the Government as an experiment, to show that the Telegraph would actually work thirty-six miles!)

\* Then Editor of the *United States Gazette*, and afterwards American Minister at Naples.

Such were the difficulties of various kinds connected with the establishment of the first telegraph line between Baltimore and Philadelphia, at that early day in telegraphing, that that section of about one hundred miles, which he turned from his Western lines to construct, when the Morse Patentees could not raise money to do so, cost him more time than it afterwards took him to construct and organize any one thousand miles out of the several thousand miles of Telegraph with which he afterwards connected all sections of the United States, before the creation of States on the Pacific Coast.

We merely refer briefly to the Telegraph system in this number of the HISTORICAL MAGAZINE; intending to notice the subject more fully when we shall speak of the large collection of Telegraph Documents in the Library of the New York Historical Society—Mr. O'Reilly having presented to the Society one hundred volumes, forty printed and sixty in manuscript, concerning Telegraphing generally, but particularly concerning the range of lines by which he first telegraphically connected the different sections of the United States—from the Documents in which collection the foregoing matters are mostly taken.

#### VIII.—NARVAEZ AND FLORIDA.

[For the following entry and curious document, appertaining to the history of the Southern states of the Union, dating probably about the year 1526, we are indebted to an American who spent several years in Spain, and by royal permission had access to its archives.—ED. HIST. MAG.]

#### PROCLAMATION TO, AND REQUIREMENT TO BE MADE OF, THE INHABITANTS OF THE COUNTRIES AND PROVINCES THAT THERE ARE FROM RIO DE PALMAS TO THE CAPE OF FLORIDA.

In behalf of the Catholic Cæsarean Majesty of Don Carlos, King of the Romans and Emperor ever Augustus, and Doña Juana his mother, Sovereigns of Leon and Castilla, Defenders of the Church, ever victors never vanquished, and rulers of barbarous nations, I, Pánfilo de Narvaez, his servant, messenger and captain, notify and cause you to know in the best manner I can, that God our Lord, one and eternal, created the heaven and the earth, and one man and one woman of whom we and you and all men in the world have come, are descendants and the generation, as well will those be who shall come after us: but because of the infinity of offspring that followed in the five thousand years and more since the world was created, it has become necessary that some men should go in one direction and others in another, dividing into many Kingdoms and Provinces, since in a single one they could not be subsisted nor kept.

All these nations God our Lord gave in charge to one person, called Saint Peter, that he might

be Master and Superior over mankind, to be obeyed and be head of all the human race, wheresoever they might live and be, of whatever law, sect or belief, giving him the whole world for his kingdom, lordship and jurisdiction.

And He commanded him to place his seat in Rome, as a point most suited whence to rule the world; so he likewise permitted him to have and place his seat on any part of the earth to judge and govern all people, Christians, Moors, Jews, Gentiles and of whatever creed beside they might be: him they call Papa, which means admirable, greatest father and preserver, since he is father and governor of all men.

This Saint Peter was obeyed and taken for King, Lord and Superior of the Universe by those who lived at that time, and so likewise have all the rest been held who to the Pontificate were afterward elected; and thus has it continued until now, and will continue to the end of things.

One of the Popes who succeeded him, to that seat and dignity of which I spake, as Lord of the world, made a gift of these islands and main of the Ocean Sea, to the said Emperor and Queen and their successors, our Lords, in these kingdoms, with all that is in them, as is contained in certain writings that thereupon took place, which may be seen if you desire. Thus are their Highnesses King and Queen of these islands and continent by virtue of said gift; and as Sovereigns and Masters, some other islands, and nearly all where they have been proclaimed, have received their Majesties, obeyed and served, and do serve them as subjects should, with good will and no resistance, and immediately without delay, directly as they were informed, obeying the religious men whom their Highnesses sent to preach to them and teach our Holy Faith, of their entire free will and pleasure, without reward or condition whatsoever, becoming Christians which they are; and their Highnesses received them joyfully and benignly, ordering them to be treated as their subjects and vassals were, and you are held and obliged to act likewise.

Wherefore, as best can, I entreat and require you to understand this well that I have told you, taking the time for it that is just you should to comprehend and reflect, and that you recognize the Church as Mistress and Superior of the universe, and the High Pontiff, called Papa, in its name, the Queen and King, our masters, in their place as Lords, Superiors and Sovereigns of these islands and the main by virtue of said gift, and you consent and give opportunity that these fathers and religious men, declare and preach to you as stated: if you shall do so you will do well in what you are held and obliged; and their Majesties, and I, in their royal name,

will receive you with love and charity, relinquishing in freedom your women, children and estates without service, that with them and yourselves you may do with perfect liberty all you wish and may deem well: you shall not be required to become Christians, except when, informed of the truth, you desire to be converted to our Holy Catholic Faith, as nearly all the inhabitants of the other islands have done, and when His Highness will confer on you numerous privileges and instruction, with many favors.

If you do not this, and of malice you be dilatory, I declare to you, that, with the help of Our Lord, I will enter with force, making war upon you from all directions and in every manner that I may be able, when I will subject you to obedience to the Church and the yoke of their Majesties; and I will take the persons of yourselves, your wives and your children to make slaves, sell, and dispose of you, as Their Majesties shall think fit; and I will take your goods, doing you all the evil and injury that I may be able, as to vassals who do not obey but reject their master, resist and deny him: and I declare to you that the deaths and damages that arise therefrom will be your fault and not that of His Majesty, nor mine, nor of these cavaliers who come with me.

And so as I proclaim and require this, I ask of the Notary here that he give me a certificate; and those present I beseech that they will hereof be the witnesses. FRCO. DE LOS COBOS.

Translated from an entry made in a book entitled *Traslados de la Florida, Capitulaciones, Asientos*, \* \* \* *de Gobernadores*, \* \* \* *del año 1517 hasta 1578*, existing in the *Archivo de Indias* at Sevilla.

## IX.—PAPERS ILLUSTRATIVE OF 'THE HISTORY OF NEW JERSEY.

### I. GOVERNOR WILLIAM FRANKLIN TO THE EARL OF DARTMOUTH.\*

No. 31, [*Secret and Confidential.*]

PERTH AMBOY Jan<sup>y</sup> 5, 1776.

My Lord

I did myself the honor to write to your Lordship on the 3<sup>d</sup> of last M<sup>o</sup> from Burlington, and to enclose copies of my Speech and the Council & Assemblies addresses at the opening of the Session of Gen<sup>l</sup> Assembly, together with sundry other papers. The Minutes of the Assembly not being yet printed I inclose the written Copy of them which I rec<sup>d</sup> daily from the Clerk during the Session.

Several petitions were presented to the Assembly praying them to discourage any attempt to

promote our Independency on G. Britain and that they would grant the support for his Majesty's governm<sup>t</sup> in this Colony as usual. Their Resolves respecting the first your L<sup>d</sup>ship will see in their Minutes of Nov<sup>r</sup> 28 which are nearly similar to those passed in the Assembly of Pennsylvania on the like occasion.—It seems indeed to be the general opinion of those with whom I conversed that the majority of people in both Provinces are greatly averse to an Independency, and if they could be ever convinced that their present Leaders have such intention would immediately unite to oppose them in every such attempt.

But the danger seems to be that the design will be carried on by such degrees and under such pretences as not to be perceived by the people in general till too late for resistance—that some have such designs is too evident from the publications in those News Papers which are more immediately under the influence of the Congress and their adherents, if not by the System of measures which have been uniformly pursued by them. Some of these papers I inclose for your Lordship's perusal.

The Assembly granted the usual Support of governm<sup>t</sup> but they evaded complying at present with his Majesty's requis<sup>n</sup> to them on that subject, communicated in my Message of the 21<sup>st</sup> of Nov<sup>r</sup>. The reasons they thought proper to give for this non-compliance are contained in their Message of the 6<sup>th</sup> of Decem<sup>r</sup> which being the day they were to be prorogued, agreeably to their and the Council's request, I did not think it expedient to delay the Sessions longer merely on that account, or I should have pointed out the absurdity & insufficiency of those reasons. However I shall not fail doing it at the next Session, when perhaps it may be of some service, which there was no probability of its being at the last.

By the minutes (Decem<sup>r</sup> 5<sup>th</sup>) your Lordship will perceive that the Assembly had it in their intentions to petition his Majesty again on the subject of the present unhappy disputes, but after the draught of an Address was prepared which would probably have passed the House, a Committee of the general Congress at Philad<sup>a</sup> came in great haste to Burlington, desired admittance into the Assembly, which being granted, they harangued the House for about an hour on the subject, and perswaded them to drop their design. That your L<sup>d</sup>ship may have some Idea of the Arguments they used on this occasion, I have obtained a copy of the Notes taken by a Gent<sup>l</sup> present, which contain the substance of the Speech of Mr Dickinson of Philad<sup>a</sup>. The other members of the Committee were Mr Jay of N York and Mr Will of Virginia. — I have not seen the Draught of the Address, but am

\* From the collection of Doctor Thomas Addis Emmett, of New York City.



told that it contained some plan or proposals for an Accommodation and that it was this part which alarmed the Congress, and occasioned them to take so extraordinary a step to prevent it's being sent, they being of opinion that no Colony ought to presume to make separte proposals, or to take separte measures on the present occasion, but to leave the whole to their management.

A day or two before the end of the Session I received a very unexpected Attack from the Council. The pretence was an expression in my reply to their address; but as the expression alluded to was very far from warranting any such interpretation, I cannot but imagine it was intended merely *ad populum*—however if that was their Aim, they have been greatly disappointed, for the purport and language of their Message is much disapproved by all ranks of people—even one of the Members of Assembly who is far from being a friend of mine speaking of it in the House called it “an unwarrantable, “ungenerous, and ungentlemanly Attack on the “Governor.” The truth is as I have reason to believe, that Three of the leading Members of the Council are strongly inclined to favor the Measures of the Congress, and that the rest who were present have a leaning the same way, except two or three at most, and even these think it necessary to their safety to observe a kind of trimming conduct. A seeming difference therefore with the Governor who publickly and privately avowed his disapprobation of those measures would be likely to answer their purpose at such a time as the present. My situation is indeed somewhat particular, and not a little difficult, having no more than one or two among the principal officers of government to whom I can now speak confidentially on publick affairs. Notwithstanding the declarations of the Council & Assembly in their Addresses with regard to the perfect safety of the officers of the Crown in this Province, yet in less than a fortnight after the Session was over, two Judges and one Justice of the Peace who live in three different Counties, have been seized by order of Committees, and one of them is a member of the Assembly. What is to be their fate I know not, but I cannot learn that they are even charged with having taken any active part against the measures of the Congress, though they have refused signing associations, and spoke against some of their proceedings.

I have suspended W<sup>m</sup> Alexander Esq<sup>r</sup> (claiming to be and comonly called Earl of Stirling) from the Council untill his Majesty's pleasure shall be known—the reasons will appear in the minutes of privy Council now copying and which will be transmitted by the next packet. If his Majesty shall think proper to remove him, I shall then

recommend such person as I may think most suitable to serve the Crown in that Capacity.

Since correspondence by letter is become so precarious and indeed dangerous, I obtain very little more intelligence of publick matters than what is to be found in the Newspapers—but I find it is generally believed that the Congress have well grounded assurance of assistance from France, if not from Spain; and that they are determined to apply for foreign aid if they find Govern<sup>t</sup> likely to employ foreign Troops ag<sup>t</sup> them. It is certain that they meet with little or no difficulty in getting Powder &c. from the French Islands; and I have reason to think it is with the connivance of the French Governors there. It is also suggested that the French Ambassador in England has immediate and full intelligence of what passes in the privy or cabinet Council, and conveys the same to some persons in London connected with America. It has likewise been intimated that a french Fleet is expected in the River S<sup>t</sup> Lawrence as early as the Season will admit; and we have certain intelligence of a considerable body of French Troops being arrived in the West Indies.

Inclosed is a copy of a paper said to be wrote in New England and sent to all the Seaport Towns in N. America to persuade the people to suffer those Towns to be destroyed rather than supply the King's Ships with provisions.

In Sussex County in this Province there are, I am told, a considerable body of people called Tories; and it is said they have been lately furnishing themselves with Arms & ammunition, and that the Committee of Safety are to meet next tuesday at Princeton to consult on Measures for disarming them, &c. The provincial Congress here have given leave to some persons to export country produce, on condition of importing the value in Powder and other military Stores—a copy of one of their resolves for that purpose is inclosed. I have no doubt but a great quantity will be smuggled into some of the harbours on the New Jersey shore from Sandy Hook to Cape May, particularly into Barnegat, Little and Great Egg Harbour unless prevented by the King's Ships.

Two of the New Jersey Delegates to the Continental Congress (Mess<sup>rs</sup> Kinsey & De Hart) have resigned their Seats on pretence of inconveniency, but it is generally attributed to apprehension of danger— I inclose a copy of the latters resignation that your Lordship may have an opportunity of seeing what extravagant Ideas of the measures of government these men endeavour to instil into the minds of the people. For further information respecting the public transactions in this and the other Colonies, I must beg leave to refer your Lordship to the inclosed News Papers, and to the printed Journal of the proceedings of the Congress sent herewith.



The Assembly did not think proper to make any further Attack on me, on account of the extract of my letter to your Lordship printed in the parliamentary Register, for which they have given some reasons (probably not the true ones) in their Minutes of Nov<sup>r</sup> 30<sup>th</sup>. But I am told that they have obtained a copy of the whole of that letter, tho' only a part was laid for parliament. by what means this has been done, I cannot learn, but I find it is suspected that *it has been* obtained by some management of Mr De Berdt, and that this has been one reason for the Assembly's appointing him their Agent. I think it proper to give your Lordship this hint, as it is represented by his friends here that he has some share of your Lordship's confidence and regard, though perhaps without any just foundation—At any rate, as I have no doubt but some measures will be, if they are not already taken to influence Clerks in Office, I hope this letter will be communicated only to his Majesty's most confidential Servants— I have the honor to be with the greatest respect & regard, my Lord, your Lordships most obedient and most humble Servant

WM. FRANKLIN.

Right Hon<sup>ble</sup> the Earl of Dartmouth, &c &c.

#### X.—SELECTIONS FROM PORTFOLIOS IN VARIOUS LIBRARIES.—CONTINUED.

##### 10.—GENERAL WASHINGTON TO GOVERNOR GEORGE CLINTON.\*

HEAD QUARTERS; ROBINSONS  
Sep<sup>r</sup> 26<sup>th</sup> 1780

Dear Sir

I arrived here yesterday on my return from an interview with the French General and Admiral and have been witness to a scene of treason as shocking as it was unexpected—General Arnold from every circumstance had entered into a plot for sacrificing West Point. He had an interview with Major Andre the British Adjutant General last Week at Jos; Smiths when the plan was concerted; by an extraordinary concurrence of incidents, Andre was taken on his return with several papers in Arnolds hand writing that proved the treason. The latter unluckily got notice of it before I did—went immediately down the river got on board the Vulture which brought up Andre and proceeded to New York.

I found the post in the most critical condition and have been taking measures to give it security

which I hope will be to night effectual. With the greatest respect and regard

I have the honor to be

Your most ob<sup>d</sup> serv<sup>t</sup>

GO WASHINGTON.

P. S.

Smith is also in our possession and has confessed facts sufficient to establish his guilt.

##### 11.—GEORGE PLATOE AND CHARLES CARROLL OF CARROLLTON, MEMBERS OF CONGRESS FROM MARYLAND, TO — \*

YORK Monday P. M. 22d June 1778.

GENT :

The Instructions of the House of Delegates of the 18th inst we this morning received in a letter from Mr. Chase and laid them before Congress, whereupon at our earnest desire it was resolved to take into immediate consideration the Amendments proposed by our State to the Confederation, altho Congress had previously determined to take up the Amendments offered by the Several States in the order in which the States are ranged in the Confederacy, beginning first with New Hampshire and so on—

This evening the 3 Amendments offered by Maryland were debated and 11 States out of the 12 present rejected the Amendments to the 4th and 8th Articles, so that our State only voted for them. The fate of the most important Amendment is not yet decided, the question being put off by adjournment till to-morrow morning, when it will probably be rejected by a majority of eight States out of twelve—

A Confederation at this critical juncture appears to Congress of such momentous consequence that I am satisfied a great majority are resolved to reject the Amendments from every State, not so much from an opinion that *all* the Amendments are improper, as from the conviction that if *any* should be adopted, no Confederation will take place, at least for some months, perhaps years, and in that case many apprehend none will ever be entered into by all of the present United States—The distractions probably consequent on such an event and the many dangers and evils which may arise from partial Confederacies (which you may more easily paint to yourselves than we can express) have determined some States to accept the present Confederation altho' founded on principles not altogether consistent, in their opinion, with justice and sound policy—For if any Amendments should be adopted, it will then be necessary to send the Confederation back to those States whose Legislatures have

\* From the original, in the Library of the New York Historical Society.

\* From the Collection of M. M. Jones, Esq., of Utica, N. Y.

empowered their Delegates to sign and ratify it in its present form; for instance to New Hampshire, New York, Virginia and North Carolina, the Delegates of which States are positively instructed to ratify the Confederation as it now stands, and some of them are directed to admit of no alterations, even literary ones, such as would not affect the true spirit and meaning of any Article, but only serve to elucidate that meaning and spirit by removing all ambiguity and doubt—

In debating our second Amendment, viz to the 8th Article it was admitted on all sides to be the true meaning and intention of that Article that *all* lands, not only those already granted to, or surveyed for any person, but all lands *hereafter* to be granted to, or surveyed for any person, should be subjected to valuation, and considered as a part of the whole wealth of the State in which they lie—It was contended by several members that the meaning of the 8th Article is clearly expressed, but confessed by some to be dark and ambiguous, who nevertheless voted against the Amendment, for the reasons we have already assigned.

The amendment to the 4th Article was considered by every State, Maryland excepted, as unimportant; the Article not being liable, in the opinion of any other State, to the objection made and consequences, as apprehended by Maryland—

23d p.m.

Our third Amendment has just been rejected by a majority of one State; the division was as follows

Against the Amend <sup>d</sup> .	For the Amendment.
N. Hampshire	Rhode Island
Massachusetts	Jersey
Connecticut	Pennsylvania
N. York divided	Delaware
N. Carolina absent	Maryland
South Carolina	
Georgia	
Virginia	

Inclosed you have a copy of Gen. Washington's letter received this morning—We are with great respect

Gent, Yr. most Ob<sup>d</sup>, hum, servants

GEO. PLATOE

CH. CARROLL OF CARROLLTON

P. S.—We write in great haste to be in time for the post, you will therefore be pleased to excuse all interlineations, erasures & blots

12.—A. M. HOOPER TO DOCTOR JOSEPH JOHNSON.\*

CRAWFORD, RUSSELL Co. ALABAMA

April 22. 1851

DEAR SIR

I hasten to inform you that I have received a

letter from my friend Mr Niel McLaurin, by the pen of his son Joseph. I now give you what he communicates to me, relative to Hector M<sup>c</sup>Niel the associate of Fanning.

"Hector M<sup>c</sup>Niel was of Argyleshire, Scotland, & came to North Carolina, on board of a British man-of-war, being then quite young, & probably acting in the capacity of a 'powder-monkey.' He left the man-of-war, and joined the Americans, where he soon rose to high rank.—that of Colonel. He was considered 'brave'; but supposing himself neglected by his brother officers, he left—not deserted—and raised a considerable force in Bladen & Robeson counties, ultimately joined Fanning, and was at Hillsborough, or thereabouts, when Governor Burke & his Aid & Secretary were captured & all carried thence to Charleston S. C. He was shot down by some body in ambush immediately after, or while crossing the Eno, a rivulet which runs thro' Hillsboro'."

This is the revelation of Mr Niel McLaurin. A few days after the receipt of my letter, Mr McLaurin, the father of Joseph, who writes, became acquainted with Doctor Malcolm M<sup>c</sup>Niel, a descendant of Hector M<sup>c</sup>Niel. Doctor M<sup>c</sup>Niel resides at Lumberton, Robeson Co. N. C. He promised to write for Mr. McLaurin, a full account of his grandfather, Hector M<sup>c</sup>Niel, when he returned home. Mr McLaurin was in hopes to receive this account, in time to accompany his letter to me.

I am, D<sup>r</sup> Sir, Truly & respectfully Yours

A. M. HOOPER

D<sup>r</sup> JOSEPH JOHNSON

13.—DOCTOR SOLOMON DROWNE TO HIS BROTHER.\*

GENERAL HOSPITAL, NEW YORK, July 13<sup>th</sup> 1776.

DEAR BILLY.

I received your kind letter by Mr Arnold, some time ago, and about a week after, that by Mr. Greene, though of an earlier date than the other. I was glad to hear all friends were well, both in town and country: and intended by all means to have written to you by Capt<sup>n</sup>. Lovett; but an affair turned up yesterday that hindered me.

I suppose you will have heard before this reaches you, that the fleet has arrived here, and lies in fair view of the city.

Yesterday afternoon two ships and three tenders came to sail and stood towards the city. They had not got fairly within shot, before our forts and batteries began to fire at them;—and, what was mortifying, they kept steadily along, seemingly regardless of our constant fire, 'till

\* From the original, in the possession of the Editor.

\* From the original, in possession of H. T. Drowne, Esq., of New York City.

they got almost abreast of our works; then gave us a few passing Broad-sides, and, with a fine breeze, sailed statelyly up the North River, I believe unhurt by us.

But, shocking to tell, we had six fine fellows killed and four or five wounded at our grand Battery, through mere carelessness, or ignorance.

For, neglecting to swab the cannon at all or doing it improperly, the cartridges took fire, and the fatal accidents ensued. The wounded were brought to the Hospital, and this day one of them had his arm (all the bones of which were broken) taken off. He was moved first, to the new, or City Hospital, which has been intended, fitted and kept for the wounded; where I now attend him, to be ready if lest the stump should bleed afresh.

One ball came into the Hospital yard, struck the ground, at a little distance from us and bounded through the board fence. I believe it was a twelve pound shot. I think our situation as much exposed, as any in the city. \* \* \*

It is now almost midnight, and but a little while since I returned to my chamber, from carrying medicine to one of the Wards I have the care of, and applying a poultice to a man's foot, over which a gun carriage run yesterday, in the battle with the ships:—so you may judge how much time I have to write.

You requested to know upon what terms I entered the Hospital. I have as good a berth as I desired. Our pay is Twenty Dollars per month and two rations a day. We expect it will be raised soon in consequence of a petition to Congress for that purpose. Twenty Dollars a Month will go but little way in this city, things are so extravagantly high. I entered the Hospital the 5<sup>th</sup> of June.

We hear Lord Howe is at the Hook; if so, I fear we shall be closely employed for longer than the summer.

I suppose you have heard of the execution of one of the General's Guards, concerned in the hellish plot, discovered here some time past. There was a vast concourse of people to see the poor fellow hanged.

\* \* \* \* \*

I heartily congratulate you, my dear Brother, on being an inhabitant of a Free and Independent Country,—

The United States of America.—

I herewith send you a Gazette, which contains y<sup>e</sup> Declaration; and also an Extract of a letter from Philadelphia, which, if you have not had yet, should be glad you would show Thomas Russell. The Declaration was read, agreeable to general Orders, at y<sup>e</sup> Head of y<sup>e</sup> Brigade, &c. this week; and loud Huzzas expressed the Approbation of y<sup>e</sup> Freeborn Bands.

The Night following, the famous, gilded eque-

trian Statue of y<sup>e</sup> British King, in this City, was levelled with y<sup>e</sup> Dust: his head taken off, and next morning, in a Wheel-Barrow carried to his Excellency's Quarters, I was told.—There is a large Quantity of Lead about it, which is to be run into Bullets to destroy his Myrmidons.—

Sally wrote me that you had listed; should be glad if you would explain that matter in your next.

Several of the young Doctors have been ill, among the rest Doctor Binney; but through the great goodness of my Bountiful Creator, I am in health, and in pretty good spirits I believe.

I am very tired, and it is past midnight.

Write often to your Friend and Brother.

SOLOMON DROWNE.\*

To Mr. WILLIAM DROWNE.

Providence.

(R. I.)

## XI.—ARRIVAL OF THE WASHINGTON FAMILY IN AMERICA.

The precise year in which JOHN WASHINGTON, the ancestor of General WASHINGTON, arrived in America has not been well settled by historians. SPARKS says "about the year 1657;" COSTIS uses the same words; Baron VON WASHINGTON, a General in the Bavarian Army, wrote in 1844, "about the year 1650;" IRVING says, "in 1657."

While a paroled prisoner at Annapolis, in 1862, the undersigned copied from a volume of Colonial Records, for 1658 and 1659, the following, which seems to settle the question. The record is otherwise curious and interesting.

Utica, N. Y., 1866.

M. M. JONES.

Present Oct. 5, 1659 at Mr George Reade's House—Josias Wendall Esqr Gov. Philip Calvert Esqr Sect<sup>y</sup>. Capt. Will<sup>m</sup> Stone, Mr Thom. Gerrard Col. Nathaniel Vlyce, Mr. Baker Brooke & Mr Edw. Lloyd.

Whereas John Washington of Westmoreland County in Virginia hath made complaint ags<sup>t</sup> Edward Prescott Merch<sup>t</sup> Accusing ye sd Prescott of felony unto ye Gouverno<sup>r</sup> of this Province alleging how that hee ye sd Prescott hanged a witch on his ship as hee was outward bound from England hither the last yeare vpon w<sup>ch</sup> complaint of ye sd Washington the Gov<sup>t</sup> caused ye sd Edward Prescott to bee arrested Taking Bond for his appearance att this Provincia<sup>l</sup> Court of 40,000<sup>l</sup> Tob. Gyving moreover notice to ye sd Washington by letter of his proceedings therein (a copie of w<sup>h</sup> ltre w<sup>h</sup> ye sd Washingtons answere thereto are as followeth: Mr Washington Vpon yo<sup>r</sup> complaint to mee yt Mr Prescott did in his voyage from England hither cause a woman to bee executed for a witch, I have caused him to be apprehended uppon suspition of felony

\* At that time, and for several years after, Physician and Surgeon in the United States Army.



& I've intend to bind him over to ye Provincial Court to answere it where I doe allso expect yo<sup>a</sup> to bee to make good ye charge. Hee will bee called uppon his Tryal ye 4<sup>th</sup> or 5<sup>th</sup> of Octob<sup>r</sup> next at ye court to be held then att Patux-neare Mr ffenwicks house where I suppose yo<sup>a</sup> will not fayle to bee. Witnesses examined in Virginia will bee of noe vaweh here in this case for they must bee face to face w<sup>th</sup> ye party accused or they stand for nothing, I thought good to acquaynt yo<sup>w</sup> w<sup>th</sup> this that yo<sup>w</sup> may not come unprovided. This at present S<sup>r</sup> is all from

Yo<sup>r</sup> ffriend Josias ffendall 29 Septemb

Hon<sup>ble</sup> S<sup>r</sup> Yo<sup>r</sup> of this 29<sup>th</sup> instant this day I received. I am sorry yt my extraordinary occasions will nott permitt mee to bee att ye next Provincial Court to bee held in Mary Land ye 4<sup>th</sup> of this next month Because then, god willing I intend to gett my young sonne baptized All ye Company & Gossips being already invited. Besides in this short time witnesss cannott be gott to come over But if Mr Prescott be bownd to answere it ye next Prowinciall Court after this I shall doe what lyeth in my power to get them over. S<sup>r</sup> I shall desyre yo<sup>w</sup> for to acquaynt mee whither Mr Prescott be bound ouer to ye next Court and when ye Court is that I may haue some time for to provide Evidence & soe I rest Yo<sup>r</sup> ffriend & Serv<sup>t</sup>  
30 Septemb, 1659 John Washington

To w<sup>ch</sup> complaynt of John Washington the s<sup>d</sup> Edward Prescott submitting himselfe to his tryall denyeth not but that there was one Elizabeth Richardson hanged on his ship as he was outward Bound ye last yeare from England & coming for this province neare unto ye Westerne Islands by his Master & Company (Hee having appoynted one John Greene for y<sup>t</sup> voyage Master though himselfe was both Merch<sup>t</sup> & owner of ye ship) But further sayth That he w<sup>th</sup>stood ye proceedings of his s<sup>d</sup> Master & Company & protested agst them in that business And that thereuppon both ye Master & Company were ready to Mutiny.

And it appeering to ye court by ye Printed Custome house discharge & Light house bills or acquaintances produced & shewen by ye sd Edw. Prescott taken or gyven in John Greene's name that ye sd Greene was Master for y<sup>t</sup> voyage & not Edward Prescott and noe one conning to prosecute, the sd Prescott therefore prays that he may be acquitted:

Whereuppon standing uppon his Justificat<sup>n</sup> Proclamat<sup>n</sup> was made O, Yes &c Edward Prescott prisoner at ye bar uppon suspition of ffelony stand uppon his acquittall. If any person can give evidence against him let him come in, for ye Prisoner otherwise will be acquitt. And noe one appearing the prisoner is acquitted by ye Board.

## XII.—NOTES ON THE EARLY HISTORY OF THE MINT.

*From Robert Morris's Diary.*

1781. *July 16th.* Wrote to Mr. Dudley at Boston inviting him hither in consequence of the Continental Agent Mr. Bradford's Letter respecting him referred to me by Congress.

*July 17th.* Wrote Mr. Bradford respecting Mr. Dudley.

*Nov. 10th.* Ordered some money on application of Mr. Dudley to pay his expences.

*Nov. 12th.* Sent for Mr. Dudley to consult him respecting the quantity of Alloy Silver will bear without being discoloured, he says he can put 6 drops into an ounce. Desired him to assay some Spanish Dollars and French Crowns, in order to know the quantity of pure Silver in each.

*Nov. 16th.* Mr. Dudley assayed a number of Crowns and dollars for our information respecting the Mint.

1782. *Jan. 2d.* Mr. Benjamin Dudley applied for money to pay his Board which I directed to be paid by Mr. Swanwick, this gentleman is detained at the public expence as a person absolutely necessary in the Mint, which I hope soon to see established. My propositions on that subject are to be submitted to Congress so soon as I can get the proper assays made on Silver coins &c.

*Jan. 7th.* Mr. Dudley applies about getting his wife from England. I promised him every assistance in my power.\*

*Jan. 18th.* I went to Mr. Gouv<sup>r</sup> Morris's

\* The following, from the Morris Papers, serve to illustrate this subject:

"1.—ROBT. MORRIS TO RICHARD YATES.

"PHILAD<sup>a</sup>. Jan. 23<sup>d</sup> 1782.

"Sir,

"At the request of a very honest Man who seems much distressed for the welfare of his wife, now in London, I beg to trouble you with the enclosed Letter, praying that you will forward it, and if in consequence thereof M<sup>r</sup>s Dudley should come to New York, I beg of you to procure Liberty for her to come to her Husband at this place. The money for her Passage and reasonable expences in New York, which must be reasonable as possible, she may draw upon her Husband M<sup>r</sup> Benjamin Dudley, and I engage that the Draft shall be paid. I shall thank you for your attention to this poor Lady when she arrives, and remain Sir,

"your most obedient and

"humble servant

"ROBERT MORRIS."

"2.—ROBT. MORRIS TO THE COMMISSARY GENERAL OF PRISONERS

"PHILAD<sup>a</sup>. Jan. 23<sup>d</sup> 1782.

"Sir,

"I send herewith an open letter for M<sup>r</sup> Richard Yates containing one for M<sup>r</sup>s Dudley in London from her Husband now here. I wish these may be safely delivered to M<sup>r</sup> Yates, and therefore pray you to send them into New York, by some person that will not only promise, but perform the delivery of them. I am Sir,

"your most obedient and

"humble servant

"ROBERT MORRIS."

Lodging to examine the plan we had agreed on, and which we had drawn up respecting the Establishment of a Mint, we made some alterations and amendments to my satisfaction and from a belief that this is a necessary and salutary measure. I have ordered it copied to be sent into Congress.

*Jan. 26th.* Mr. Dudley applied for money to pay his Lodgings &c. I ordered Mr. Swanwick to supply him with fifty dollars, informed him that the Plan of a Mint is before Congress, and when passed, that he shall be directly employed, if not agreed to by Congress, I shall compensate him for his time &c.

*Feb. 26th.* Mr. Benjamin Dudley brought me the rough drafts or plan for the rooms of a Mint &c. I desired him to go to Mr. Whitehead Humphreys to consult him about Screws, Smith-work &c. that will be wanted for the Mint, and to bring me a list thereof with an estimate of the Cost.

*Feb. 28th.* Mr. Dudley informs me that a Mr. Wheeler, a Smith in the Country, can make the Screws, Rollers &c. for the Mint. Mr. Dudley proposes the Dutch Church, that which is now unoccupied, as a place suitable for the Mint, I sent him to view it, & he returns satisfied that it will answer, wherefore I must enquire about it.

*March 22d.* Mr. Dudley and Mr. Wheeler came and brought with them some Models of the Screws and Rollers necessary for the Mint. I found Mr. Wheeler entertained some doubts respecting one of these Machines which Mr. Dudley insists will answer the purposes and says he will be responsible for it. I agreed with Mr. Wheeler that he should perform the work; and, as neither he or I could judge of the value that ought to be paid for it, he is to perform the same agreeable to Mr. Dudley's directions, and when finished, we are to have it valued by some Honest Man, judges of such work, he mentioned Philip Syng, Edwd. Duffield, William Rush and ——— all of whom I believe are good judges and very honest men, therefore I readily agreed to this proposition. And I desired Mr. Dudley to consult Mr. Rittenhouse and Francis Hopkinson Esquire, as to the Machine or Wheel in dispute, and let me have their opinion.

*March 23d.* Mr. Dudley called to inform me that Mr. Rittenhouse & Mr. Hopkinson agree to his plan of the Machine &c.

*April 12th.* Mr. Dudley wants a horse to go up to Mr. Wheelers &c.

*May 20th.* Mr. Dudley wrote me a Letter this day and wanted money. I directed Mr. Swanwick to supply him, and then desired him to view the Mason's Lodge to see if it would Answer for a Mint, which he thinks it will, I desired him to go up to Mr. Wheelers to see how he goes on with the Rollers &c.

*June 17th.* Mr. Dudley applied for money to pay his Bill. I directed Mr. Swanwick to supply him.

*June 18th.* Issued a warrant in favor of B. Dudley £7.11.6.

*July 15th.* Mr. B. Dudley applied for money, he is very uneasy for want of employment, and the Mint in which he is to be employed and for which I have engaged him, goes on so slowly that I am also uneasy at having this gentleman on pay and no work for him. He offered to go and assist Mr. Byers to establish the Brass Cannon Foundry at Springfield. I advised to make that proposal to Genl. Lincoln and inform me the result to-morrow.\*

*July 16th.* Mr. B. Dudley to whom I gave an order on Mr. Swanwick for fifty dollars, and desired him to seek after Mr. Wheeler to know whether the Rollers &c. are ready for him to go to work on rolling the copper for the Mint.

*August 22d.* Mr. Saml. Wheeler who made the Rollers for the Mint, applies for money. I had a good deal of conversation with this ingenious gentleman.

*August 26th.* Mr. Dudley called and pressed very much to be set at work.

*Sept. 3d.* Mr. B. Dudley applied for a passage for his Friend Mr. Sprague, pr. the Washington to France & for Mrs. Dudley back. Mr. Wheeler applied for money which I promised in a short time.

*Sept. 4th.* Mr. Wheeler for money. I desired him to leave his claim with Mr. McCall Secretary in this office, and I will enable the discharge of his notes in the Bank when due.

*Novr. 8th.* Mr. Dudley applies for the amount of his Bill for Lodgings and Diet &c. and I directed Mr. Swanwick to pay him, but am very uneasy that the Mint is not going on.

*Dec. 23d.* Mr. Dudley and Mr. Wilcox brought

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\* This letter will illustrate this subject :

ROBERT MORRIS TO THE REV. WILLIAM GORDON, D.D.

[From the Morris Papers.]

"PHILADA. 25th July, 1782.

"SIR,

"In consequence of your Letter of the nineteenth of June, I sent for Mr. Dudley told him the information you had so kindly given to me and assured him of my desire to make him easy and happy. The Business in which he is intended to be employed, is like many other important matters, retarded by the tediousness of the States in supplying the Continental Treasury.

"The Hon<sup>ble</sup> Secretary at War has commenced a correspondence with General Gates at my request, which I think, will produce what he wishes. Be assured that I take particular pleasure in promoting the Interest and happiness of worthy men, and that I am with great esteem Sir,

"your most obedient  
"and humble Servant,

"ROBERT MORRIS."

the subsistence paper, and I desired Mr. Dudley to deliver 4000 sheets to Hall and Sellers.\*

*Decr 26<sup>th</sup>* Mr Hall the Priater brought 100 Sheets of the subsistence notes this day, and desired that more paper might be sent to his Printing Office, accordingly I sent for Mr Dudley and desired him to deliver the same from time to time, until the whole shall amount to 4000 Sheets.

*1783. April 2<sup>d</sup>* I sent for Mr Dudley who delivered me a piece of Silver Coin, being the first that has been struck as an American Coin.

*April 16<sup>th</sup>* Sent for Mr Dudley and urged him to produce the Coins to lay before Congress to establish a Mint.

*April 17<sup>th</sup>* Sent for Mr. Dudley to urge the preparing of Coins & for Establishing a Mint.

*April 22<sup>d</sup>* Mr Dudley sent in several Pieces of Money as patterns of the intended American Coins.

*May 6<sup>th</sup>* Sent for Mr Dudley and desired him to go down to Mr Mark Wilcox's, to see 15,000 Sheets of paper made fit to print my Notes on.

*May 7<sup>th</sup>* This day delivered Mr Dudley the paper Mold for making paper, mark'd United States, and dispatched him to Mr Wilcox's, but was obliged to advance him 20 dollars.

*May 27<sup>th</sup>* I sent for Mr Dudley to know if he has completed the paper at Mr Wilcox's's paper mill for the Certificates intended for the pay of the Army. He says it is made, but not yet sufficiently dry for the printers use. I desired him to repair down to the Mill and bring it up as soon as possible.

*May 28<sup>th</sup>* Mr Whitehead Humphreys to offer his lot and buildings for erecting a Mint.

*July 5<sup>th</sup>* Mr Benj<sup>n</sup> Dudley gave notice that he has received back from Mess<sup>rs</sup> Hall and Sellers the Printers, three thousand sheets of the last paper made by Mr Wilcocks. I desired him to

bring it to this office. He also informs of a Minting Press being in New York for sale, and urges me to purchase it for the use of the American Mint.

*July 7<sup>th</sup>* Mr Dudley respecting the Minting Press, but I had not time to see him.

*August 19<sup>th</sup>* I sent for Mr Benjamin Dudley, and informed him of my doubts about the establishment of a Mint and desired him to think of some employment in private service, in which I am willing to assist him all in my power. I told him to make out an account for the services he had performed for the public, and submit at the Treasury office for inspection and settlement.

*August 30<sup>th</sup>* Mr Dudley brought the dies for Coining in the American Mint.

*Sept 3<sup>d</sup>* Mr Dudley applies for money for his expenses which I agree to supply, but urge his going into private business.

*Sept. 4<sup>th</sup>* Mr Dudley for money, which is granted. Directed him to make three models for constructing Dry—

*Nov. 21<sup>st</sup>* Mr Dudley applies for money. He says he was at half a guinea a week and his expenses borne when he left Boston to come about the Mint, and he thinks the public ought to make that good to him. I desired him to write me and I will state his claims to Congress.

*Nov. 26<sup>th</sup>* Mr Dudley for money which was granted.

*Dec. 17<sup>th</sup>* Mr Dudley with his account for final settlement. I referred him to Mr Milligan.

*1784, Janv 5<sup>th</sup>* Mr Dudley applies for a Certificate of the Time which he was detained in the public service. I granted him one accordingly.

*Jan. 7<sup>th</sup>* Mr Dudley after the settlement of his account, which I completed by signing a warrant.

\* This letter will illustrate this matter :

ROBERT MORRIS TO BENJAMIN DUDLEY.

[From the Morris Papers.]

"OFFICE OF FINANCE, 29 Nov<sup>r</sup>. 1782.

"SIR,

"You will herewith receive the Form for making a particular kind of Paper — You are to proceed to the Paper Mill of Mr. Mark Wilcox, in Ash Town Chester County, who has the stuff prepared, and there to superintend the making of sundry reams of Paper upon this Form—in doing of which you are to be particularly careful not to leave it in the power of any person or persons to make any paper upon this Form without your immediate inspection.

"You are to attend the Workmen constantly whilst they are at work, and when you retire from the Mill upon any occasion, you are to take the Form with you. You are to count the Paper as it is made sheet by sheet and when you have finished the whole, you are to bring it to me together with the Form. I am Sir,

"Your most obedient servant,

"ROBERT MORRIS."

### XIII.—THE RECORDS OF THE CITY OF NEW AMSTERDAM.

#### PREFATORY NOTE.

Our friend, the venerable Clerk of the Common Council of the city of New York, in his letter communicating the action of that body concerning the proposed publication of portions of its ancient records in the successive numbers of THE HISTORICAL MAGAZINE, has referred very briefly to the great interest which attaches to those time-stained volumes, and their great importance to both the student and the statesman. They are the earliest existing memorials, in its archives, of the beginnings of the commercial metropolis of America; the earliest internal evidences of Government in that primitive community which laid the foundation of New York's present and future greatness; and, in the lessons which the men of that early period have sent down to us, there is much to be gathered which will make us both wiser men and more useful citizens.

In its earlier days, although New Amsterdam was considered and called a city, it was not different in its character and government from the other settlements of New Netherland. The Commonalty had no voice in its government; there were within it none of the municipal officers or institutions which distinguished the cities of Father-land from its country towns; and the Director general and Council of the infant Colony, who exercised at once Executive, Legislative and Judicial functions,



were its only law-givers. PETER MINUIT of Wesel, WOUTER VAN TWYLER of Nieuwkerke, WILLEM KIEFT and PETRUS STUYVESANT, may therefore be considered as successively the earlier heads of the City Government in New Amsterdam, and the Orders and Proclamations of the Directors general and Councils of New Netherland, relating thereto, as its *Ordinances*, until February, 1653, when the administration of the Schout, Burgomasters and Schepens, which had been granted to the Commonalty, gave to it, to some extent at least, the appearance of a self-governed municipality.

The existing records of the Corporation extend no farther back than the last of May, 1647, when PETRUS STUYVESANT was the widely-known and respected Director-general; but of its transactions from that time until the present, there is an unbroken record, save only where a single volume, of a comparatively recent period, has been abstracted from the archives.

In the following pages, which have been carefully copied from the Translations made by Doctor WESTBROOK and compared with the original, the pages of each series of volumes are noted, in order that they may be referred to by students at a distance; and illustrative Notes have been added where they can serve to illustrate the Text or render it more useful.

MORRISANIA, N. Y., 1867.

H. B. D.

[Resolution of the Common Council of the City of  
New York.]

IN COMMON COUNCIL.

*Resolved*, That permission is hereby given to Henry B. Dawson, Editor of THE HISTORICAL MAGAZINE, to make copies of and to publish in that work, from time to time, such portions of the ancient Records of this Corporation and such of its papers on file as, in his opinion, shall serve to illustrate the early history of this State and City, and the character and habits of the inhabitants, provided the same shall be done under the direction and supervision of the Clerk of the Common Council; and that the said Records shall not be removed from the Clerk's Office.

Adopted by the Board of Aldermen, December 6, 1866.

Adopted by the Board of Councilmen, December 10, 1866.

Approved by His Honor the Mayor, December 13, 1866.

D. T. VALENTINE,

Clerk of the Common Council.

[Letter from the Clerk of the Common Council.]

OFFICE OF THE CLERK OF THE COMMON COUNCIL, }  
New York, January 2d, 1867. }  
HENRY B. DAWSON, Esq.

Editor of THE HISTORICAL MAGAZINE:

SIR: At the same time that I communicate to you the action of the Common Council, authorizing the use by you of its ancient records and papers, and the publication of portions of them in your work, I take pleasure in complying with your request that I should furnish some account of our early Dutch Manuscript Records, so far as they have come under my observation.

When I first became connected with this office, now more than forty years ago, these ancient Dutch Records were scattered throughout the public offices, some being in the Register's, some in the Surrogate's, some in the County-Clerk's, and others of them in this office.

They were not very attentively cared for, having been without readers for probably a century or more. No attempt had been made to translate them; and of the history of New Amsterdam and of the times in which lived and acted the revered fathers of our City and State, which has since been so fully revealed, so large a portion was not supposed to lie hidden in these dusty, unbound, and forbidding volumes. They were as unpromising to the searcher among the relics of the past as were the sterile mounds in Assyria to the eye of the traveler, who little supposed that beneath them lay the most ancient relics of the Historic period. Indeed there were but few who could decipher the ancient form of manuscript in these old Records;

and when to this difficulty were added the great changes in the Dutch Language, caused by the lapse of two centuries, it is obvious that the difficulties of translation were not easily overcome.

A few years after I took charge of this office, still held by me, I commenced the publication of short historic sketches in the small *Manual*, then annually published for the use of the Corporation Officers. To these were added some curious pictorial representations of old buildings and scenes of interest in early times in our city.

The project seemed to meet a public want, and great encouragement was held out by our citizens for a more extended examination of our early history, which could be presented for the delectation of the intellectual palate of our citizens in this form of publication to greater advantage than any merely private historical research could promise.

Stimulated by these assurances of public interest, I urged the authorities to make provision for the translation of these vagrant volumes, and was met with alacrity by the appropriation of a sufficient sum to secure the translation of a few of them. These were principally the records of the Burgomasters and Schepens, which were translated about the year 1838, by Doctor Westbrook.

They were found to be full of interesting particulars of our early history, and were carefully digested and studied in unfolding the gradual progress of the city in that early stage of its history; and a few years afterwards, other volumes, embracing the proceedings and records of other tribunals, were added, which were translated by Doctor O'Callaghan. These, and others subsequently translated by him, embraced, in all, several volumes.

The last translations were made last year (1866), consisting of the records of Transfers of Titles of Real Estate, which were made by John Paulding, Esq.

All these volumes have been, by Legislature authority, made a part of the archives of my office; where the originals are deposited with due regard to their preservation, and the translations are open to public inspection.

Truly, yours,

D. T. VALENTINE,

Clerk of the Common Council.

[Original, 1, 2; Translation, 1-3.]

PETRUS STUYVESANT, Director General of New Netherland, Curacao, etc., and the Islands of the same, Captain and Commander of the Company's ships and vessels cruising in the West Indies, to all persons to whom these Presents may or shall come, or who may or shall hear them read, Sendeth Greeting:

Whereas we have observed and remarked the insolence of some of our inhabitants who are in the habit of getting drunk, of quarrelling and fighting, and of smiting each other on the Lord's Day of Rest, of which, on the last Sunday, we ourselves witnessed the painful scenes and of which we also came to the knowledge, by report, in defiance of the Magistrates, to the contempt and disregard of our person and authority, to the great annoyance of the neighborhood, and finally, to the injury and dishonor of God's holy laws and commandments, which enjoin upon us to honor and sanctify him on this holy Day of Rest, and which proscribe all personal injury and murder, with the means and temptations that may lead thereunto:

Therefore, by the advice of His Excellency the Director General and our ordained Council,

here present, to the end that we may as far as it is possible and practicable, take all due care, and prevent the curse of God instead of his blessing from falling upon us and our good inhabitants, We do, by these Presents, charge, command, and enjoin upon all Tapsters and Inn-keepers, that, on the Sabbath of the Lord, commonly called Sunday, before two of the clock in the [2] afternoon, in case there is no preaching, or, otherwise, before four of the clock in the afternoon, they shall not be permitted to Set, nor Draw, nor Bring out, for any person or persons, any Wines, Beers, or Strong-waters of any kind whatsoever and under whatever pretext, excepting only to persons travelling and to the daily boarders who may from necessity be confined to their places of abode, under the penalty of being deprived of their occupations and, in addition thereto, in the penalty of Six Carolus Guilders for each person who, during that time, may or shall have run up a score for any Wine or Beer in their houses. And, furthermore, we do hereby forbid all Inn-keepers and Tapsters whatsoever to keep their houses open for common company, or to Tap or Deal out, on said day, or on any other day in the week, after the ringing of the bell in the evening, which shall take place about nine of the clock, any Wines, Beers, or Strong-waters, excepting to all the members of their families, travellers, and boarders, under the same penalty. And to the end that we may take all due care to prevent all rash drawing of knives, all fightings and personal injuries, and all catastrophes resulting from the same; Therefore, with the praiseworthy approbation of the High, Wise, and Honorable Councillors of the city of Amsterdam [in New Netherland,\*] by these presents, We do Proclaim and Ordain that all persons who shall rashly or in anger draw, or who shall have drawn any knife or dagger against another person, shall, in such case, be fined in the penalty of One hundred

[3] Carolus Guilders; or, in case of their failure in the payment of the same, they shall be put to the most menial labor, with bread and water for their subsistence; or, in case any person shall have been wounded thereby, the penalty shall be Three hundred Carolus Guilders, or, an additional half-year's confinement to the most menial labor, with bread and water for their subsistence.

We do also command our Fiscaal, our Lieutenant, our Sergeants and Corporals, and every one of our citizens and inhabitants, as well as the Soldiers, on all occasions, with all due zeal, and activity, and fidelity, to take measures that all such persons be pursued and apprehended, so that they may be proceeded against and dealt with as the Law directs. Done in Fort Amsterdam, this last day of May, Anno, 1647.\*

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\* This Order was the first, concerning New Amsterdam, which was promulgated by Director General Stuyvesant, who had arrived in that port less than three weeks before; and it is highly important to the historical student, in illustrating not only the condition of the Colony at the close of Kieft's administration, but of the different policy which was immediately inaugurated by the sturdy and unflinching Director General who had just entered on the discharge of his duties.

The mismanagement of Van Twyler and Kieft is generally known; but the actual condition of the city and its vicinity is nowhere so evident as in the means which were found necessary to correct the abuses which prevailed there, and in the determination, requiring even an exhibition of the superior authority of the Home Government to strengthen it, with which those means were necessarily employed by the new Government.

The great body of the inhabitants, partaking of the vices of both their Civil and Ecclesiastical leaders, appear to have given way to the most intemperate habits; and faction being opposed to faction, and even the Church affording only an example of intemperance and violence, there need be little surprise that the infant community, beyond the influences which had restrained the passions of its members while they were yet in the Fatherland, and surrounded by the bad examples, and encouraged by the looseness of the restraints which were presented by both the Church and the State, had become in the highest degree demoralized. In Stuyvesant, however, the State had found a different representative, while the Church was also about to be purged of its badness by the resignation of its intemperate Pastor, the Domine Bogardus. Keeping in sight, both for his own support and for the condemnation of the wrong-doers, the respect which was due to the Magistracy, the right of protection which was due from the State to its law-abiding subjects, and the Supreme authority of "God's holy laws and commandments," the Director General boldly breasted the torrent of vice which was rapidly overwhelming the city; and in the Order which is the subject of these remarks he inaugurated a new policy of Government, and laid the foundation of that peculiar greatness, in New Amsterdam, which, to this day, distinguishes New York from all other cities in Christendom.

But it was not alone for this purpose that the Order in the text is important to the student of the history of New York.

Coming in conflict with the interests of a large and influential body of the Burghers, as well as with the passions of another and still larger body of the inhabitants, there is little doubt that to this identical Order may be traced the beginning of that steady and powerful internal opposition which the Administration of Director General Stuyvesant encountered in New Netherland, and which was seen most distinctly during the last week of his official career; and in it, also, may be seen an evidence of the peculiar courage and sturdy devotion to duty, regardless of consequences, which distinguished that much-abused officer above most others of his time, and added a dignity to his actions, which neither the opposition of open enemies nor the ridicule of professed friends have been permitted to tarnish, much less to conceal.—H. B. D.

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\* In the original Dutch, the words equivalent to "in New Netherland" do not appear; and they are inserted here only because the Translator seems to have understood the term "City of Amsterdam," as referring to this city, and added the words in question, to establish that interpretation.

We do not believe, however, that he was correct in this view of the subject. The City of Amsterdam, in Fatherland, as will be seen in various parts of these Records and in other contemporary writings, controlled, to some considerable extent, the Government of New Amsterdam, in New Netherland; and there is good reason to suppose that the demoralization which had prevailed there, under Van Twyler and Kieft, had attracted the attention of the Home Government, and induced it to give especial authority to the newly-appointed Director General to take the stringent measures, for the correction of the abuses, which are contained in this Order. The reference to the superior authority of "the High, Wise, and Honorable Councillors of the City of Amsterdam," in this first Order, was well calculated, therefore, to give weight to Stuyvesant's opposition to the wrong-doers; and it serves, also, to illustrate how far, in the beginning of his Administration, at least, he was willing to recognize and obey the superior authority of his official superiors, in Holland.—H. B. D.



[Original, 2; Translation, 3, 4.]

WHEREAS His Excellency the Director General and the Honorable the Council have been credibly informed that certain individual Traders, engaged in the Southern Trade and sailing under the License of this Government, are in the practice of going into the interior and entering the Maquas country, whereby the regular traffic is ruined and, in addition thereto, the privileges of those Traders who remain with their cargoes, at the usual places of deposit, are greatly damaged or entirely lost; and, moreover, by such [4] means, the good understanding with the Indians may be interrupted and they may be stirred up to murder and put to death such and such persons, whereby these districts of country are put in constant danger of being brought into difficulty and war: Therefore, to the end that we may, in the most effectual way, guard the interest and honor of the West India Company, we have forbidden and interdicted, and we, do by these Presents, from this time, forbid and interdict, every one of our Inhabitants from having the hardihood to go into the interior with any cargoes or any other merchandize; but they shall leave them at the usual places of deposit, and there wait for traffic. Done at Fort Amsterdam, in New Netherland, on the 18th June, Anno. 1647.

[Original, 3; Translation, 4-6.]

WHEREAS, there is a continual practice of selling much strong drink to the Indians, whereby these districts of Country are exposed to imminent dangers: and Whereas it behooves us, promptly, to take measures to prevent the same: Therefore, we, the Director General and the Council of New Netherland do hereby forbid and interdict, from this time forth, all Tappers and all other inhabitants, from Selling, Dealing out, or Bartering, in any way or under any pretext whatsoever, to the Indians, any Wine, Beer, or Strong drink, and from [5] permitting the same to be fetched by the mug, directly or indirectly, even though it may be through the third or fourth person, under the penalty of Five hundred Carolus Guilders and the farther responsibility for all the misdemeanors that may result therefrom.

All persons are hereby also warned and forbidden against trespassing upon the Orchards, Fields, and Gardens, Provided they shall be found in fence or planted with fruit-trees; and every one who shall have trespassed upon any Fields, Gardens, or Orchards in fence or in fruit, shall be fined One hundred Guilders and, in addition thereto, be liable to pay actual damages.

All the inhabitants of New Netherland are hereby charged and commanded to set off and to put into good fence all their Plantations, so that the Cattle therein may be kept from committing trespass; which Cattle, whether they be Horses, Kine, or, in a special manner, Goats and Hogs, must be taken care of, or otherwise disposed of, that they cannot commit any trespass. To this end, the Fiscaal, Van Dyck,\* shall build a Pound, in which the Cattle shall be detained until the damage shall have been made good and the fees of the officer paid. Let every one take warning and look out for costs. Done at Fort Amsterdam, in New Netherland: [6] Present, His Excellency the Governor General, the former Director General Kieft, the Honorable Dincklage,† Mons. la Montagne, the Captain Lieutenant Newton, Paulus Leendersen, Jacob Loper,‡ Solomon Teunissen and John Claessen Bol, on the first day of July, Anno, 1647.

\* HENDRICK VAN DYCK, the Fiscaal of the Colony, seems to have come to New Netherland as an Ensign in the Company's military service, in 1639; and, in 1642, he commanded an expedition against the Wechquaesqueek, who had offended Kieft. During the following year (October 6, 1643), he was wounded in one of the forays by the Indians, which followed the short Peace of April 22d; and, soon after, it is evident that he returned to Holland.

He was appointed to the important office of Schout fiscaal of the Colony, in 1646; and, in that capacity, he accompanied Stuyvesant to New Netherland, in the following year; but he seems to have very soon lost, if he ever possessed, the respect as well as the confidence of the Director General. In his turn, he seems very soon to have been in the front rank of those who opposed Stuyvesant; and, in March, 1652, he was summarily removed from office, and returned to Holland.

He was a man of dissipated habits, negligent of his official duties, untrustworthy in matters of State, and of questionable personal integrity; and he was succeeded in his office as Schout-fiscaal by Cornelis Van Tienhoven, the profligate Secretary of the Colony.—H. B. D.

† LUBBERTUS VAN DINCKLAGE, "an honorable man and Doctor of Laws," succeeded Conrad Notelman as Schout fiscaal of the Colony in 1633; but, in consequence of his opposition to Van Twyler's conduct, he was dismissed from that office in the summer of 1636, and returned to Holland.

He seems to have been a constant suppliant before the authorities, in Father-land, for a redress of his grievances, and the recovery of his salary, which had been withheld from him, until the nominal removal from office, in December, 1644, of Director Kieft, when he was ordered back to New Netherland as its Vice or Provisional Director—a post he seems never to have really occupied, notwithstanding a Commission was issued in the following May.

In July, 1646, when Stuyvesant really superseded Kieft as Director-General, Van Dincklage went with him, and, at the period in question, was the Vice-Director and First Councillor of the Colony. He subsequently became opposed to Stuyvesant's administration and was imprisoned by the indignant Director General, after which he retired to Staten Island as the agent of the Baron Van der Capellen.

On the failure of the Baron's adventure, in company with Cornelis and Jacob Melyn, Van Dincklage removed to New Haven, where, in April, 1657, he became a citizen.

He was married to Margaretta, daughter of Rev. John Hanus, by whom he had nine children, and died early in the year 1658.—H. B. D.

‡ JACOB LOPER had been a Captain Lieutenant in Curacao. His wife was Cornelia, daughter of Cornelis Melyn of Staten Island.—H. B. D.



[Original, 4; Translation, 6.]

WHEREAS, in times past, all free Merchants in New Netherland, for some time back, have been in the habit of paying, monthly, the duties on all Peltries procured here, in trade, and of shipping them to Father-land when opportunities offer: Therefore, it is by Council deemed very necessary to establish a regular duty, so that every one may have the opportunity of knowing what the Law requires them to pay; with respect to which it is determined that the following shall be the established Tariff: For every Beaver-skin exported, Fifteen Stivers—Two halves for One, and Three thirds for Two whole Beaver-skins.\* For every Otter-skin and Beaver-skin, Fifteen Stivers. For every skin of an Elk, Fifteen Stivers. As the other Peltries are of less value, the duty shall be as the case may require. Done in Council: Present, the Director General Petrus Stuyvesant, the former Director General William Kieft, the Honorable Dincklage, Mons. la Montagne, Lieutenant Newton, the Equipage-master Paulus Leendertsen, Jan Claessen Bol, this 23rd July, Anno, 1647.

[Original, 4, 5; Translation, 7, 8.]

WHEREAS, both by correct information and our own knowledge, we have remarked the disorderly practice, both now and formerly, of building and erecting Houses and of extending House-lots far beyond their lawful limits, and of putting up Hog-pens and Privies along the Public Road and Streets, neglecting and omitting to make suitable improvements upon the Lots given and granted to them, To prevent this for the future, it is resolved by the Director General Petrus Stuyvesant and their Excellencies the Councillors, to appoint three Surveyors of Buildings—His Excellency Lubbert Van Dincklage, the Equipage-master Paulus Leendertsen,† and the Secretary Cornelis Van Tien-

\* By an order of Director-General Kieft, dated "21 June, A<sup>o</sup> 1644," an excise of One Guilder, subsequently made Fifteen Stivers, was imposed "on each merchantable beaver pur chased within our limits and brought here to the fort," for the purpose of meeting the expenses of the existing War with the Indians.

This, the first excise on peltries in New Netherland, seems to have been agreed to by the Eight men of the city, under the circumstances; although the Director promised it should be only a temporary measure.

By this Order, the excise was continued over.—H. B. D.

† PAULUS LEENDERTZEN VAN DER GRIST was the commander of the West India Company's ship *Griat Gerrit*, and came to New Netherland with Stuyvesant, in 1647. He was appointed Equipage-master, or Navy-agent, of the Colony; entered into trade; was Schepen in 1653-4; Burgomaster in 1657-8, 1661 and 1664; and returned to Europe in 1671.

He lived on the West side of Broadway, near where Trinity Church now stands; and his place of business was in Pearl, near Broad-street. O'CALLAGHAN'S *Notes to Colonial Documents*.—H. B. D.

hoven—whom we do hereby authorize and empower to condemn all impropriety and disorder in Buildings, Fences, Palisades, Posts, and Rails, and in future to forbid it; for that purpose, to order and warn, from this time forward, all and every one of our subjects, within or around the city of New Amsterdam, who are disposed to build, plant, settle, or enclose with palisades, that no one shall continue in the practice of the same nor undertake to do it, without the knowledge, consent, and inspection of the aforesaid Surveyors of Buildings, in the penalty of Twenty-five Carolus Guilders and of removing whatever they may have built or set up. We do also hereby warn and give notice to all and every one who may heretofore have received the grant of House-lots, within nine months from this time, to improve their Lots [8] by building suitable and convenient houses, according to Order, or, in default thereof, the unimproved lots shall revert to the Patroon or Landlord, or to whomsoever they may have belonged and who may have conveyed the same. Thus done in Council at Fort Amsterdam: Present, His Excellency Director-General Kieft, His Excellency Dincklage, Mons. la Montagne,\* Lieutenant Newton,† Paulus Leendertsen, Equipage Master, Jan Claessen Bol,‡ this 25th of July, Anno, 1647.

[Original, 5; Translation, 8, 9.]

WHEREAS, it has come to the knowledge of His Excellency the Director General and their Honors the Councillors, that in and about the city of New Amsterdam there are Brewers who are in the practice of Tapping and Selling Beer by the small measure, whereby it may happen and come to pass that those neigh-

\* Doctor JOHANNES LA MONTAGNE, a learned Huguenot, arrived in New Netherland early in 1637, and was called to the Council, by Kieft, in March, 1638, where he continued until September, 1636, when he was appointed Vice Director of Fort Orange, in the place of De Decker, who was about to return to Father-land.

He married, successively, Rachel Monjour and Agrieta Fillis, widow of Arent Corssen; by the first of whom he had John, Rachel, Maria, Jesse and William; by the latter he had no children.—H. B. D.

† Lieutenant BRIAN NEWTON was an Englishman, who had been employed by the Company some twenty years, and held office under Stuyvesant in Curacao.—O'CALLAGHAN'S *New Netherland*, ii., 19, 20.

In company with Nicholas Varleth, in 1660, he was sent on a mission to Virginia, and entered into a Treaty of Amity and Commerce with the General Assembly of that Colony.

In September, 1661, he requested permission to resign his Commission and return to Holland; and in July, 1662, he was duly discharged. It is probable that he returned to Europe soon after.

He resided at Flatlands, L. I.—H. B. D.

‡ JAN CLAESSEN BOL was the commander of the Company's ship *Swol*, which came over with Stuyvesant; and he returned to Holland, after remaining in the Colony only a few weeks.—H. B. D.

the Excise may not be accommodated when they shall be tapped dry: Therefore, by the aforesaid, His Excellency the Director General and the Councillors, agreeable to the order and practice in Holland, this has been forbidden; and by these Presents it is Ordained and Interdicted [9] that no Brewer in and around the city shall be permitted to Tap and Sell Beer by the half-pot or small measure; and that no Brewer shall be permitted to Brew Beer, or procure it to be done for him by others, in the penalty of forfeiting all such Beer and all such stock on hand as shall happen to be in the house of said Brewer or Tapper; and, in addition thereto, he shall be admonished not to do so any more. Done this 12th January, 1648

[*Original, 6; Translation, 9, 10.*]

**W**HEREAS, it has come to the knowledge of His Excellency the Director General of New Netherland, Curacao, etc., and the Islands of the same, and their Excellencies the Councillors, that certain careless Persons are in the habit of neglecting to clean their Chimnies, by sweeping, and of paying no attention to their Fires, whereby, lately, fires have occurred in two houses; and Whereas, the danger of fire is greater as the number of houses increases here, in New Amsterdam; and Whereas the greater number of them are built of Wood and covered with Reeds, together with the fact that some of the houses have Wooden Chimnies, which are very dangerous: Therefore, by the very prompt and excellent Director General and their Honors the Councillors it has been deemed [10] advisable and highly necessary to look into this matter; and they do hereby Ordain, Enact, and Interdict that, from this time forth, no Wooden or Platted Chimnies shall be permitted to be built in any Houses between the Fort and the Fresh-water; and that those already standing shall be permitted to remain during the good pleasure of the Firewardens:

And, to the end that the foregoing Order may be duly observed, the following persons are appointed, to wit: From the Council, the Commissary, Adriaen Keyser\*; and from the Commonalty, Thomas Hall†, Martin Crygier‡, and George

Woolsey\*, who, in their turn shall visit all the houses in this city, wheresoever they may stand or be situated, between the Fort and the Fresh-water; and they shall inspect the Chimnies, whether they be kept clean by sweeping. And as often as any shall be discovered to be foul, the Firewardens aforesaid shall condemn them as foul; and the owners shall immediately, without any gainsaying, pay the fine of Three Guilders for each Chimney thus Condemned as foul, to be appropriated to the maintainance of Fire-ladders, Hooks, and Buckets, which shall be provided and procured the first opportunity†. And in case the house of any person shall be burned or be on fire, either through his own negligence or his own fire, he shall be mulcted in the penalty of Twenty-five Guilders, to be appropriated as aforesaid.

Done, passed, and published, at Fort Amsterdam, this 23rd January, 1648.

[*Original, 7-9; Translation, 11-15.*]

**P**ETRUS STUYVESANT, Director General of New Netherland, Curacao, etc., and their Excellencies the Councillors, to all to whom these Presents may or shall come, or who may hear them read, Greeting:

Whereas, it has come to our knowledge that our former Proclamations, issued against unseasonable and intemperate Drinking, both at night and on the Rest Day of the Lord, to the scorn and derision of our persons and Nation, have not been observed and executed according to our intent and meaning; which Proclamations, by these Presents, we do renew, ordain, and enact, so that, from this time forth, they shall continue to be in force, maintained, and carried out with a stricter observance and execution, according to the obvious tenor and meaning thereof. In the meanwhile, the occasion and the reasons why these our good Regulations and well-meant Proclamations have not been observed according to the tenor and meaning of them, are the following, to wit: The kinds of business and the easy

Jam. Captain Lieutenant of the Burgess Corps of that city, and, subsequently, Captain of a company sent from Amsterdam in Holland, with which he did good service to the Southward and against the Indians. He was, also, one of the first Burgess masters of New Amsterdam; and at the termination of the Dutch authority in the Colony, he retired to the valley of the Mohawk, where, at Canastota, now Niskayune, he died in the early part of 1713. *O'Callaghan's New Netherland*, ii., 554.—H. B. D.

\* GEORGE WOOLSEY was from Yarmouth, England, and in the employ of Isaac Allerton, a merchant of New Amsterdam. He owned a plantation at Long Island, but it is not known that he lived there.—H. B. D.

† This is the earliest minute, on the Records of the city, concerning a Fire Department. It will be seen that, although two fires had lately occurred, there was no apparatus in the city, at the date of this Order, for either extinguishing fires or arresting their progress.—H. B. D.

\* ADRIAEN KEYSER, came to New Netherland as Secretary, subsequently was appointed Commissary, and still later the Vendue master.—H. B. D.

† THOMAS HALL was a farmer who had emigrated to the South river, in 1635; but, in 1647, he had resided several years in New Netherland. He had been Jacob Van Curler's overseer, at Flatlands; but, at the period in question he was largely engaged in the cultivation of tobacco, on his own account, and possessed considerable real estate, on Manhattan Island.

He was one of the Eight men of the city, in 1643; one of the Nine men, in 1649; and a Select-man, in 1650; and he was very much respected, notwithstanding he was, probably, somewhat engaged in illicit trade.—H. B. D.

‡ MARTIN CRYGIER was a noted Inn keeper in New Amsterdam.



profits flowing therefrom divert and seduce many from their primitive Calling, Trade, and Business; and they devote themselves to Tapping, so much so that almost one full fourth part of the city of New Amsterdam have become Bawdy-houses, for the sale of Ardent Spirits, Tobacco, and Beer, whereby very many do not only neglect and abandon their honest handicraft and business, but, also, the common man and the Company's [12] servants, in a great measure, are allured; and, what is still worse, the youth, even from their childhood, noticing the unbecoming conduct of their parents, are consequently drawn off from the path of Virtue unto all idleness and into what are concomitants—Cheating, Smuggling, and Frauds, in the clandestine sales of Beer and Brandy to the Indians and Natives, although both daily experience and God teach us better, because therefrom we cannot but apprehend fresh animosities betwixt them and us. And, in addition to all this, it happens that some honest Inns, established and supported for the use and benefit of the Traveller, and Stranger, and the Inhabitants—who honestly and righteously pay their Taxes and Excise, and are in the possession of suitable Houses, or do hire them—have to bear the greater part of the burdens, whereby these Tavern-Keepers are in a great measure interrupted in their licensed and lawful calling and business, being ready in these premises, to make provision according to the exigency of the case and the emergency of the [ ], Therefore, we the Director General and the Councillors aforesaid, on the subject of the Tapsters and Inn-Keepers, do Ordain and Enact the following Regulations and By-Laws:

## I.

In the first place, from this time forth, there shall be no new Tavern, Inn, or Retail Grocery made or established, without the special [13] approbation and consent of the Director General and the Councillors, unanimously agreed to and permitted.

## II.

The Inns, Taverns, and Retail Groceries that are already in the city, may be permitted to continue at least for the four following years; yet, in the meantime, they shall be held under the additional obligation to employ themselves in some other honest business in these places, together with suitable and honest sureties living under the guardianship and supervision of this city of New Amsterdam, each one in conformity with his state, quality, and condition, according to the Order and Regulations made by the Director and Council, with the advice and approbation of the Surveyors of Buildings.

## III.

That the Inn-Keepers and Tapsters to whom we have granted yet four years, at least, who shall wish, for sufficient reasons, to change their business, after they shall have laid aside this their former business of Tapping, shall not be permitted to transfer the same to any other person nor yet, to this intent, Rent nor Sell their houses and dwellings to any other person, without the previous advice, and full consent, and approbation, of the Director General and Councillors.

## IV.

Item. The Inn-keepers and Tapsters, from this time forward, shall not be permitted to Sell, nor [14] Mix, nor Hand out to the Indians or Natives, any Beer, Wine, Brandy, or Waters, although it may be through the first, second, or third person that the Natives are supplied therewith, under the penalty of the forfeiture of their business and arbitrary correction, at the discretion of the Court.

## V.

Item. They shall be obliged, for the prevention of all Fightings and Mischiefs, actually to report to the Officer, in case any one shall be injured or wounded in their houses, under the penalty of forfeiture of their business and One Pound, Flemish, for every hour after the injury or wound shall have been inflicted and during which time the Tapster or Inn-keeper shall conceal it.

## VI.

The Proclamations heretofore issued against all unseasonable Night-tipping and Drunk-drinking on the Sabbath, shall be fulfilled by the Inn-keepers, with strict regard and observance, to wit: That, in the evening, they shall not keep Tavern after the ringing of the Bell, nor, on the Sabbath, Sell nor Deal out any Beer or Waters to any one (the Traveller and the Boarder alone excepted) before three of the clock in the afternoon, when there is Divine Service, under the penalty fixed by Proclamation.

## VII.

Item. They shall be obliged not to receive into their houses or cellars any Wines, Beers, or Ardent Spirits, directly nor indirectly, before [15] the receipt of the Invoice and the possession of the Bill, under the penalty of the forfeiture of their particular Business, Beers, and Spirits, and an exemplary fine, besides, at the discretion of the Court.

## VIII.

Finally. All Inn-keepers and Tapsters who



may be minded to continue their Business, shall, within the time of eight days after the publication and affixing of these presents, address and give in their persons and their names to the Director and Council, and there solemnly promise, punctually to fulfil all things whatsoever that, on the subject of Tapsters and Inn-keepers, have been ordered or hereafter may be ordered, in all their particulars, and to conduct themselves honestly in their business, as become loyal and honest subjects. Done at our session at Fort Amsterdam, this 10th March, Anno, 1648.

[Original, 10 ; Translation, 15, 16.]

**A**PPEARED before the Council, Adriaen Dircksen,\* Martin Crygier,† Jan Jansen Schepmoes,‡ Jan Snediger,§ Philip Geraerdij,|| Sergeant Daniel Litscho, Gerrit Douman, Hendrick Smith,¶ Cornelis Volckertsen,\*\* Abraham Pietersen,†† George Rapaelje, and Pieter Andriessen, all Inn-keepers and Inhabitants of this city of New Amsterdam, who have given in their names and persons and whom [16] their Excellencies the Director General and the Councillors do hereby Publish, in pursuance of the Proclamation issued on the subject of Tapsters and put up in the Market, they having, on their honor, promised to observe said Proclamation, in all its meaning. Dated the 16th March, Anno, 1648, at New Amsterdam, in New Netherland.

[Original, 10 ; Translation, 16, 17.]

**W**HEREAS, by their High Mightinesses the Director General and the Councillors of

\* ADRIAEN DIRCKSEN had been a Pilot of the port and an Assistant Commissary of Fort Amsterdam.—H. B. D.

† MARTIN CRYGIER undoubtedly kept his Tavern on what is now called Broadway, opposite the Bowling-green.—H. B. D.

‡ JAN JANSEN SCHEPMOES had been a resident of the Colony since 1633, having come over, in that year, in the *Dolphin*.—H. B. D.

§ JAN SNEDIGER probably kept house in Pearl-street, near the Fort. He was one of the Select-men of the city, and about 1652, he appears to have removed to Flatbush, L. I.—H. B. D.

|| PHILIP GERAERDIJ was the Landlord of the City Tavern.—H. B. D.

¶ HENDRICK SMITH was probably HENDRICK JANSEN SMITH, who lived on what is now known as Broadway.—H. B. D.

\*\* CORNELIS VOLCKERTSEN undoubtedly kept his tavern on the Great Highway, now Broadway.—H. B. D.

†† ABRAHAM PIETERSEN'S tavern was subsequently closed, by Order of the Director General and Council, dated the twenty-third of July, 1648, in consequence of the murder there of Gerrit Jansen Clomp by Johannes Rodenborch.—*Council Minutes*, iv., 398-402.

Pietersen had been Miller before he became Tavern-keeper; and, within a month after the closing of his Tavern, he was re-appointed to the same place (*Council Minutes*, iv., 413.) In 1658, he obtained permission to erect a water mill at the Kolch. He was one of the Eight men of the city, in 1643; and his daughter, Maritje, married Thomas Jansen Mingal.

New Netherland, it has been daily seen and observed that the Goats and Hogs are in the habit of daily committing great damage in the Orchards, Plantations, and other Productions, here and about Fort Amsterdam, not only to the discouraging of the cultivation of fine Orchards and Gardens, but, also, to many great and particular damages:

Therefore, their High Mightinesses the Director General and the Councillors, desirous of making provision in the premises from this time forth, do Ordain and Enact that, between the Fort New Amsterdam,\* or thereabout, and the Fresh-water, no Hogs nor Goats shall be pastured or kept, except within their own inclosures. Care must also be had, that the Goats do not get out of their inclosures; and that they do no damage to any one. Also, that Goats shall not be pastured beyond the Fresh-water, without a Herds-man or Keeper under the [17] penalty—in case the Goats shall be found outside their inclosure, or on this side of the Fresh-water, or, on the other side of the Fresh-water, without a Herds-man or Keeper—of their being attached by the Fiscaal and of being declared, by their High Mightinesses, to be forfeited. Be each one hereby warned, that he suffer no damage. Done on the 10th of March, 1648, and suspended and published on the 16th of March, at New Amsterdam, in New Netherland.

[Original, 11 ; Translation, 17-19.]

**P**ETRUS STUYVESANT, in behalf of their High Mightinesses the States General of the United Netherlands, His High and Mighty Lord the Prince of Orange, and their High Mightinesses the Gentlemen Directors of the General Privileged West India Company, Director General over New Netherland, Curacoa, &c. and the Islands of the same, together with their High Mightinesses, the Councillors:

Whereas, we have seen and observed that, notwithstanding our Decrees and Ordinances heretofore issued concerning the keeping and sanctifying the Holy Sabbath, according to the holy command of God, it has not been observed ac-

\* It is evident that the Translator, in this place, has misunderstood the intent of the Order and misinterpreted its meaning.

The "*Fort Amsterdam*," in the original, has been correctly translated in the Preamble of this Order; but the words "*fortificatie Nieuw Amsterdam*" in the original, which have been here rendered "*Fort New Amsterdam*," clearly indicate something else than the Fort at the lower end of the city, where "the orchards and plantations" referred to were not to be found.

We submit, therefore, that it would have been a more correct rendering of the original if the Translator had said, instead of "between Fort New Amsterdam and the Fresh-water," as in the text, "between the outer defences of New Amsterdam or their vicinity, and the Fresh-water."—H. B. D.

cording to our intent and meaning; and, Whereas, the Sabbath, in various ways, has been profaned and desecrated, to the great scandal, offence, and reproach of the Community and the neighboring strangers who frequent these places, and to the villifying and contemning of God's Holy [18] Word and our Ordinances flowing therefrom,

Therefore, we the Director General and the Councillors aforesaid, for the purpose of averting, as much as lies in their power, the dreaded wrath and punishment of God, through this sin and other misdemeanors, from themselves and their subjects, Do, by these Presents, Decree, Renovate, and Amplify our former Proclamations and Ordinances; having for the better observance of the same, with the approbation of the Minister of God's Word, Ordained that, from this time forth, in the afternoon as well as in the forenoon, there shall be preaching from God's Word and the usual exercises of Christian prayer and praise; requesting and charging, for that purpose, all their Officers, Subjects, and Vassals, to frequent and attend the same; forbidding, in the meanwhile, during Divine Service, in conformity with our previous Proclamations, all Taverning, Fishing, Hunting, and other usual occupations, handicrafts, and professions, whether in Houses, Cellars, Shops, Ships, Sloops, or in the Streets and Markets, under the forfeiture of such wares, merchandise, or property, or the redemption of the same with the sum of Twenty-five Guilders, until otherwise ordered, to be applied for the benefit of the Poor and the Church; and, furthermore, One pound, Flemish, in case either buyers or sellers, the hirers or the hired, who may transgress [ ] to be applied, one half to the officers the other half at the discretion of the Court. Furthermore, we do hereby Enact and Forbid, that no one shall, on the fore part [19] of the day, give himself up to foolish drinking and other excesses, to the scandal and offence of others, under the penalty, in case any one be thus found, of being chastised by our Fiscaal or any of the higher or lower officers, at their discretion. Done and, after the resumption, agreed to and published on the 29th April, 1648, at New Amsterdam in New Netherland.

[Original, 12; Translation, 19, 20.]

WHEREAS, by daily experience, it has been seen and observed that, notwithstanding it has been forbidden several times, by former Proclamations, that any one should Tap, Hand out, Mingle, or Sell through a third or fourth person, directly or indirectly, any Strong Drink, to the Indians or natives of this Country, we must daily see before our eyes that the Indians are running about, through the Mannhattans, in a state of in-

toxication; and that the inhabitants, living without, experience great vexation from the drunken Indians, whereby, as formerly, fresh animosities and wars are to be apprehended: Therefore, His Excellency, the Director General and the Honorable the Councillors have resolved, once more, to enact the former Proclamations, and hereby peremptorily to forbid, and we do by these Presents peremptorily forbid, the Handing out, the Mingling, or the Selling of any Strong Drinks, by whatever name or mark they may be known; and in case any person, after this date, shall be convicted of these offences, though it should be, even, through the information of the Indians themselves—to whom, for weighty reasons, credit shall be given [20] in this case,—he shall, over and above the penalty established by former Proclamations, be arbitrarily punished without any dissimulation, since it is far better that such evil-disposed persons should be punished than that the Country and Community in general should suffer damage through them. Done on the 13th May, Anno, 1648, at the Session in Fort Amsterdam, in New Netherland.

[Original, 13; Translation, 20, 21.]

WHEREAS, by their High Mightinesses the Director General and the Councillors, it has been noticed and observed, with great concern, that many of the Scotch Merchants and small traders who, from time to time, have come out of their country with the ships, are doing or aiming at nothing else than, by their underselling and manner of trading, to destroy Trade, selling their goods very rapidly, giving Eleven to Twelve Guilders in loose seawant for one Beaver, and having sold out, going with their ships whence they may return the same year, without leaving or doing any benefit to the Country, to the injury of the inhabitants, who, by their freehold and birth, are obliged to bear all the burdens:

Therefore, for the purpose of preventing such destroyers of Trade, it is deemed advisable and necessary for New Netherland and the inhabitants thereof, to Enact and Ordain that, from this time forth, all Scotch merchants and small dealers who come from their country with vessels, with the intention of trading here with Christians or Heathens, at wholesale or retail, shall not be permitted to carry on the least trade in the land, except [21] in case they shall have had a residence here, in New Netherland, three following and succeeding years; and, furthermore, they shall be compelled, within one year after their Privilege and Opportunity, to erect a decent and habitable Tenement in this city of New Amsterdam who obtain from them their Beer and pay



dam. All traders and others who are in possession of one habitable Tenement, and who have resided three years in the place, shall be permitted to Trade, and not otherwise, (the Merchant or Schipper of their High Mightinesses's vessels alone excepted), Provided, the same shall not be permitted to have any shop on the land. Done in the presence of His High Mightiness the Director General, His Excellency Dincklage; Mons. la Montagne, Brian Newton, and Paulus Leendertsen, on the 18th September, Anno, 1648, at New Amsterdam.

[Original, 14; Translation, 21.]

BY His High Mightiness the Director General and their Excellencies the Councillors of New Netherland, the Fire-wardens are charged and ordered to prevent all accidents by fire in this city of New Amsterdam; to visit all around; to see whether every one keeps his Chimneys clean by sweeping; and, in case any one is found to be deficient, immediately to demand the penalty of Three Guilders, which shall be appropriated agreeably to the Proclamation, on this subject, published on the 21st January, 1648. Done and Ordained in Session, at Fort Amsterdam, on the 28th September, 1648. Present, His High Mightiness the Director General, L. Van Dincklage, la Montagne, Brian Newton, Paul: Leendertsen.

[Original, 14; Translation, 22.]

WHEREAS, there are daily complaints made by the Indians and Natives, to their High Mightinesses the Director General and the Councillors that some of the Inhabitants are in the habit of setting the natives at work, of availing themselves of their labor, and of letting them go off unpaid after the work has been done; and as the refusal to pay the Indians for their labor is contrary to the right of all people, for which reason the Indians are threatening, in case they are not satisfied and paid, that they will take their pay by resorting to other unbecoming measures:

Therefore, for the timely and possible prevention of all mischief, their High Mightinesses the Director General and the Councillors do hereby warn all inhabitants who are indebted to the Indians for their daily wages or otherwise, to pay the same without any gainsaying; and, in case of the employment of the Indians for the future, they shall be under the same obligation, or the statement or complaint of the Indians—to whom, for reasons in the case, credit shall be given—to make payment therefore, under such a fine as, according to the occasion, shall be deemed right.

Done in Session and Published on the 28th September, 1648, at New Amsterdam: Present, His High Mightiness the Director General, L. Van Dincklage, la Montagne, B. Newton, Paulus Leendertsen.

#### XIV.—A LETTER FROM GEN. QUITMAN.

H. B. DAWSON, Esq.:

MY DEAR SIR:—Thinking at that period of revising and republishing my *History of Schoharie County, &c.*, I wrote in 1854, to Gen. John A. Quitman, then recently of the Mexican war, to know if he was a son of Domine Quitman, at one time pastor of the Schoharie Lutheran Church; asking from him, if he were, a sketch of his public life. I believe he advocated, before his death, the doctrine of *secession*, as an inherent right of the States. I regret to say I never received any later communication from him. He died, if memory serves me, just before our great civil war began. Believing that this letter should find a place in the H. M., I send you a copy. J. R. S.

FORT PLAIN, N. Y., Aug. 16, 1866.

MONMOUTH, NEAR NATCHEZ, {  
May 5, 1854. }

MY DEAR SIR:

Recently, on my return from a visit to Alabama, I had the pleasure to receive your letter of the 28th March last, making inquiries about myself and my father's family. Your conjecture is right: I am a son of the late Rev. Frederick Henry Quitman, D.D., of Rhinebeck, N. Y., formerly Domine Quitman, of Schoharie. My father was a graduate of the University of Halle, in Germany, married in the West Indies, and came to New York some time in the last century. This family consisted of four sons, of whom I am the third, and three daughters. I am the only survivor of his sons, and was born 1st September, 1799, in Rhinebeck. My three brothers died childless. My sisters are still living. The eldest, Mrs. Quackenboss, now resides in Albany, a widow. My remaining sisters, single, reside in Philadelphia, spending their summers usually in Red Hook.

From the age of ten years I resided several years in the old village of Schoharie, under the instruction of Dr. Augustus Wackerhagen, then Lutheran Pastor there,—a learned and a good man, who still enjoys a green old age in Clermont, Columbia county. Subsequently I spent several years at Hartwick Seminary, Otsego county, as student and tutor; and afterwards, at the age of nineteen, I was for a year a professor in Mount Airy College, near Philadelphia. Having studied the profession of law, I migrated in 1820, to Ohio, and thence in 1821 to Mississippi, where I have resided since, except while engaged in military service in Mexico. My family consists of a wife, married here, a son and five daughters.

My life has been an active and I may say an



eventful one. In civil life I have held various positions: among them Member of Legislature, of the Convention to revise the Constitution, President of the Senate, twice Governor of Mississippi, and once American Governor of Mexico. From early life I have been connected with the militia service, and in the army have held the commissions of Brigadier and Major General; and served under the command of both Generals Taylor and Scott, and had the good fortune to be the first to enter the city of Mexico, and plant the standard of our country on the "Halls of "the Montezumas."

Several imperfect sketches of my life have appeared in print. If I can procure one, I will take great pleasure in transmitting it to you. Being on the eve of a journey from home, I must be brief, but will at a time of more leisure further answer your complimentary letter. You will oblige me by informing me where your forthcoming work can be procured.

The late Governor Bouck of your State knew my venerated father well, and can perhaps give some reminiscences of him.

When a boy in Schoharie, of eleven years of age, I was Captain of a company of Cadets, armed with wooden guns, and have a distinct recollection of some skirmishes with a half-gipsy, half-Indian race of vagabonds living in the hills. They were called *Sloughers*, and from their peculiarities and habits, deserve a place in the history of that settlement.

Very respectfully, your ob't serv't,

J. A. QUITMAN.

J. R. SIMMS, Esq.

#### XV.—OLD NEW YORK REVIVED—CONTINUED.

#### 16. PAPERS CONCERNING THE EVACUATION OF THE CITY BY THE BRITISH, IN 1783.

##### 1.—*Memorial of the Exiles.*

To His Excellency GEORGE CLINTON, Esquire, Governor, and the other the Honourable Members composing the Board, constituted by Law for the temporary Government of the Southern District of the State:

The MEMORIAL of the Subscribers, in Behalf of themselves and others, the REFUGEE CITIZENS of New-York:

HUMBLY SHEWETH,

THAT your Memorialists were among the first of the citizens of America, who in the early stages of British usurpation, asserted their

rights as became freemen; and who openly contended against the unconstitutional and arbitrary measures which were adopted and pursued by the King and Parliament of Britain, to reduce the inhabitants of this continent to the abject state of unconditional submission, to such exercises of power as their avarice or ambition might dictate. And your Memorialists, after a series of unavailing applications to the British court for redress, can also ascribe to themselves the honour of making the first overtures to their then sister colonies for establishing that union among themselves, which, under the protection of Divine Providence, has proved the happy means of their common preservation; and which has enabled them, with such unparalleled success, to repel the powerful exertions of an exasperated enemy, and to close the hazardous contest by compelling even that haughty enemy to acknowledge these United States as a free, sovereign and independent nation.

That your Memorialists, conscious of the rectitude of their intentions, the justice and importance of the cause in which they were engaged, stimulated by the most sacred regard for the civil and religious liberties of their country, and possessing the fullest dependence upon the honour, the exertions, and support of their fellow sufferers, citizens and countrymen, so solemnly promised and pledged by voluntary associations, declaring to the world, that at every hazard, expence and danger, they would defend and maintain their freedom against every invader.—Governed by such motives, and confiding in such assurances, your Memorialists in demonstration of the sincerity of their professions, most cheerfully abandoned their comfortable habitations, their property, and many of them every means of support, upon the approach of the British armament to this state in the year 1776. Perhaps too sanguinely reasoning from the dictates of their own hearts, that a people on whose generosity and gratitude they were thus confidentially depending, and for whose safety, interest and cause they were thus fully devoting themselves, would receive them with the most cordial expressions of friendship, favour and esteem.

At this period, and in the most destitute and dispersed circumstances, commenced the various, aggravated and severe hardships, which, in the course of a seven years exile, your Memorialists have experienced; and, notwithstanding of which, animated by the hope of being eventually successful in the great cause in which they had embarked, they have on all occasions, with fortitude and firmness, continued to manifest their zeal and perseverance, by contributing according to their power and opportunity, whatever has been required from them in common with others,

for public use or service : Patiently, though anxiously waiting for that happy day, which would relieve them from such mortifying scenes of misery, by restoring them triumphantly to their native city with liberty and peace.

Such having been the conduct, the sacrifices, and the sufferings of your Memorialists, through the tedious periods of the war, there can be but few among all the citizens of America who have more real cause of rejoicing at the auspicious prospect of an honourable peace.---But when they reflect upon the present circumstances of the city, and compare them with their own :--- When they remember that a very considerable part of it is reduced to ashes, and the residue in the occupation of adherents to the British government, and followers of the British army, possessed, not only of all the advantages derived from trade and business of every kind, but also of wealth and influence to secure those advantages to themselves.---Your Memorialists would be filled with the most painful and alarming apprehensions for their future means of subsistence and support, were they not comforted by the confidence and trust which they repose in the justice and wisdom of that government, which they have done so much to establish.

Your Memorialists have derived great satisfaction and encouragement from the provident measures adopted by the Legislature, which under prudent limitations, constitutes a temporary government for the southern district of the state, especially as they flatter themselves that a generous attention to the case and circumstances of the dispersed and unfortunate citizens of New-York, as a principal end, dictated the expediency and propriety of this judicious and necessary act. And your Memorialists, possessing the same confidence in the justice, generosity and wisdom of your Honorable Board, entertain no doubt but that you will be equally disposed to take your Memorialists under your immediate protection and favour, and to exert the powers with which you are invested for the purpose of promoting their speedy and effectual re-establishment, as far as may be practicable, in their former habitations, or in as comfortable a manner as the reduced condition of the city will permit.

Reduced in property, and destitute as many of your Memorialists are, and notwithstanding they have devoted so many years of the most valuable part of their lives to the common cause of their country, yet they never would think themselves warranted to solicit the interposition of your Honorable Board for their interest or accommodation in any instance where their application or claims would operate against the true interest of the state at large, or with the rights of those who were entitled to the favour of government ;

but your Memorialists are fully persuaded that when the merits of their present requests are dispassionately and impartially investigated, it will be abundantly evident, that on the one hand, they have given the most ample demonstrations of attachment, perseverance and zeal, through all the vicissitudes of the arduous contest ; and that on the other hand, those who are in possession of the city have perhaps, with equal perseverance, exerted themselves to support our enemy and to defeat the measures which have been pursued for the preservation of our lives, liberty, and the establishment of our freedom and independence ; nor can there be a doubt, but that exasperated by their disappointment and disgrace, they will retain the same vindictive rage and enmity against our happy constitution and government ; and instigated by their unconquerable prejudices, will exert every means in their power to attempt their subversion. And when it is considered how far the influence, principles and examples of the citizens of the metropolis prevail through the remote parts of the state, there can be as little doubt about the policy of guarding against the dangerous effects which reasonably might be apprehended from excluding the whig inhabitants and suffering the capital of the state to remain an asylum for the disaffected, and a nursery of tory principles.

Having thus freely, but they hope, with becoming respect, stated to your Honorable Board the peculiar embarrassments and distresses of their present situation ; and also taken the liberty to suggest such arguments as they trust, will sufficiently vindicate the justice and propriety of their claims : your Memorialists take leave to represent, that many of them were tenants, and rented houses either by the year, or upon lease for a term of years, which they abandoned, and with the American army retired from the city in the fall of the year 1776. That others of your Memorialists occupied houses their own property, which, since the enemy have had possession of the city, are consumed by fire, and that comparatively, there are but very few of those citizens who withdrew from New-York upon the approach of the enemy, who have either the means or prospect of being able to procure a covering for their families upon their return, especially as in their present circumstances, they cannot afford to pay such extravagant rents as are demanded by the proprietors, particularly by those who have adhered to the enemy or remained within their power and protection during the war, and which are frequently given by disaffected and strangers, as your Memorialists apprehend, thereby to gain a residence and establishment in the state.

Under such a complication of difficulties, your Memorialists are constrained to present their



case and claims to your Honorable Board:--- They again declare that they wish for nothing incompatible with the rights of whig citizens, or which would embarrass government in their decisions: and they flatter themselves, that while they only claim to be provided for, as faithful and zealous citizens and subjects, in preference to those who have been open and avowed enemies, their applications will neither be deemed unreasonable, nor rejected by a government convinced of the truth of the facts which they assert, and friendly to the principles of our glorious revolution.

Your Memorialists do therefore most earnestly request, that your Honorable Board will be pleased to take their case into consideration, and as soon as conveniently may be, to make an ordinance, authorizing such of your Memorialists who either occupied, rented, or leased houses in the year 1776, from persons who have either remained, or removed within the enemy's lines, to repossess the same upon their return to the city. Also directing that such houses as are part of confiscated estates be appropriated, until the Legislature shall otherwise determine for the further accommodation of your Memorialists; and prescribing such other methods and means of providing houses for the Refugee Citizens as a due sense of their merits, their necessity, and your wisdom may suggest.

And in order to prevent as much as possible those irregularities and confusion, which, on such an occasion may be apprehended, as well as for the convenience of the citizens, your Memorialists beg leave further to request, that a competent number of prudent persons may be appointed by your Honorable Board for the purpose of distributing the houses, agreeable to such ordinance as your Honorable Board shall be pleased to pass in favour of your Memorialists, who as in duty bound, shall ever pray, &c.

New Burgh, September 1, 1783.

Samuel Loudon	Robert Hatton
Richd. Norwood	Samuel Halloway
Richard Leaycroft	Pelig Seaman
Geo. Taylor	Benj <sup>r</sup> . Montanye
Hugh M Connel	Amos Hone
Michael Brooks	William Heriot
Alex <sup>r</sup> . Lamb	Aaron King
Thomas Pasett	Lawrence Myer
Samuel Myer	David Currie
Samuel Fardon	James M Kenney
Abraham fardon—	Isaac Van Hook
Peter montanye	Nicholas Kortright
Benjamin Montanye	Nicholas Kortright junr
Peter Montanye Junr	Stephen Smith
Thomas Montanye	John Currie
Henry Peckwell	John Montanye
Abraham Larzelere	James M Cullen

Abr<sup>m</sup>. Ingram  
Kamp Ayrs  
Jn<sup>r</sup>. Harrison.  
Jn<sup>r</sup>. Tyson  
William Frazer

Chas. Tillinghast  
Michael Tremper  
John Bailey  
Jn<sup>r</sup>. Keese  
W<sup>m</sup>. Keese

## 2.—Order of the Procession, November 25, 1783.

New-York, Nov. 24, 1783.

The Committee appointed to conduct the Order of receiving their Excellencies Governor CLINTON and General WASHINGTON,

**B**EG Leave to inform their Fellow-Citizens, that the Troops, under the Command of Major-General KNOX, will take Possession of the City at the Hour agreed on, on Tuesday next; as soon as this may be performed, he will request the Citizens who may be assembled on Horfeback, at the Bowling-Green, the lower End of the Broad-Way, to accompany him to meet their Excellencies Governor CLINTON and General WASHINGTON, at the Bull's Head, in the Bowery---the Citizens on Foot to assemble at or near the Tea-water-Pump at Fresh-water.

## ORDER OF PROCESSION.

A party of Horfe will precede their Excellencies and be on their flanks---after the General and Governor, will follow the Lieutenant-Governor and Members of the Council for the temporary Government of the Southern Parts of the State---The Gentlemen on Horfe-back, eight in Front---thofe on Foot, in the Rear of the Horfe, in like Manner. Their Excellencies, after passing down Queen-Street, and the Line of Troops up the Broadway, will a-light at CAPE's Tavern.

The Committee hope to see their Fellow-Citizens, conduct themselves with Decency and Decorum on this joyful Occasion.

## CITIZENS TAKE CARE!!!

**T**HE Inhabitants are hereby informed, that Permission has been obtained from the Commandant, to form themselves in patrols this night, and that every order requisite will be given to the guards, as well to aid



and assist, as to give protection to the patrols : And that the counterfign will be given to THOMAS TUCKER, No 51, Water Street ; from whom it can be obtained, if necessary.

### 3.—Address to General Washington.

To his Excellency GEORGE WASHINGTON Esquire, General and Commander in Chief of the Armies of the United States of America.

The Address of the Citizens of New York, who have return'd from Exile, in behalf of themselves and their Suffering Brethren.

SIR

At a moment when the arm of Tyranny is Yielding up its fondest usurpations ; we hope the Salutations of long suffering Exiles, but now happy freemen, will not be deemed an unworthy tribute.—In this place, and at this moment of exultation and triumph, while the Ensigns of Slavery still linger in our Sight, we look up to you, our deliverer, with unusual transports of Gratitude and Joy.—Permit us to Welcome you to this City, long torn from us by the hard hand of Oppression, but now, by your Wisdom and energy, under the guidance of Providence, once more the seat of Peace and freedom ; we forbear to speak our gratitude or your Praise. we should but echo the voice of Applauding Millions ; But the Citizens of New York are eminently indebted to your virtues and we Who have now the honour to address your Excellency, have been often companions of your Sufferings, and witnesses of your exertions. Permit us therefore to approach your Excellency with the dignity and Sincerity of freemen, and to Assure you, that we shall preserve with our latest breath, our Gratitude for your Services, and Veneration for your Character ; and accept of our Sincere and earnest Wishes that you may long enjoy that calm domestic felicity which you have so generously sacrificed ; that the Cries of Injured Liberty may never more interrupt your repose, and that your hapiness may be equal to your Virtues.

Signed at request of the Meeting—

THOMAS RANDALL  
DAN: PHOENIX  
SAM: BROOME  
THOS: TUCKER  
HENRY KIPP  
PAT. DENNIS  
WM: GILBERT SENR:  
WM. GILBERT JUNR:  
FRANCIS VAN DYCK  
JEREMIAH WOOL  
GEO: JANEWAY  
ABRAH: P: LOTT  
EPHRAIM BRASHIER

NEW YORK NOV: 26 h: 1783.

### 4.—The General's Reply.

To the Citizens of New York who have returned from Exile.

GENTLEMEN,

I thank You sincerely for your affectionate Address, and entreat You to be persuaded that Nothing could be more agreeable to me than your polite Congratulations: Permit me, in Turn, to felicitate You on the happy Repossession of your City.

Great as your Joy must be on this pleasing Occasion, it can scarcely exceed that which I feel, at seeing You, Gentlemen, who from the noblest Motives have suffered a voluntary Exile of many Years, return again in Peace & Triumph to enjoy the Fruits of your virtuous Conduct.

The Fortitude and Perseverance which You and your Suffering Brethren have exhibited in the Course of the War, have not only endeared You to your Countrymen, but will be remembered with admiration and Applause to the latest Posterity.

May the Tranquility of your City be perpetual.—May the Ruins soon be repaired, Commerce flourish Science be fostered ; And all the civil and social Virtues be cherished, in the same illustrious Manner which formerly reflected so much Credit on the Inhabitants of New York. In fine, may every Species of Felicity attend You Gentlemen & your worthy fellow Citizens.

G<sup>d</sup>. WASHINGTON.

### 5. The Firemen's Address to the Governor of the State of New York.

To His Excellency GEORGE CLINTON Esq. Governor of the State of New York in America &c'—&c'—&c'—

MAY IT PLEASE YOUR EXCELLENCY

As the Change of Government has now taken place on the Arrival of your Excellency in this City—We the Fire Engineers of the several Fire Engines, and Companies belonging to the same, beg leave to lay before your Excellency, the State and Condition of the Fire Engines &c as also of the several Companies and Number of Men now belonging to the same.

We further beg leave to represent to your Excellency That the Fire Engines with the other *implements* belonging, were before the late Fire all in good Condition and the Companies under good Order and Regulations: And as there are at present a number of Fire Buckets wanting, and also some necessary to be done (Occasioned by the late Fire) to the several apparatus belong-

ing to the Engines, which require immediate dispatch, not knowing how soon they may be wanted—We think it Our duty, and therefore take this early Opportunity to represent this matter to your Excellency, as the safety and preservation of this Metropolis at Times depend greatly in keeping the Engines in good Order.

We now beg leave to inform your Excellency that we held a commission Jointly and Severally, under the late Governor *Robertson*, and are happy to say we always gain'd applause from the Citizens for Our good Conduct in the Alarming time of Fire in this City—Should it please your Excellency to Continue us in this office under your Administration we will always Act with such Conduct, as we make no Doubt will, when Called upon in Time of Fire gain the applause of your Excellency, as well as in the late Fire we have of the Citizens.—We

Remain with Great Respect  
Your Excellency's Most Obed  
Most Hum<sup>le</sup> Serv<sup>ts</sup>  
JOHN BALTHASER DASH.  
GEORGE STANTON  
FRANCIS DOMINICK  
JERONEMUS ALSTYNE

NEWYORK 27<sup>th</sup> November 1783.

A List of the Names of the Foremen and Common men belonging to the Several Fire Engines, with the Numbers of the same.

Engine—	No	Men
1. Jacob Boelin,	Foreman	12.
2. John Burt Lyng	. do .	12.
3. John C. Puntzius	. do .	16.
4. John Post . . .	. do .	13.
5. Daniel Ten Eyck	. do .	22.
6. Nicholas Carmer	. do .	21.
7. Ahasures Turk	. do .	24.
8. Henry Riker . . .	. do .	23.
9. Charles Doughty	. do .	16.
10. Isaac Meade . . .	. do .	22.
11. Christopher Henniger	. do .	16.
12. John B. Dash Junr	. do .	12.
13. Richard Deane . .	. do .	12.
14. Benjamin Birdsall	. do .	10.

Men belonging to )  
Ladders and hooks }

No 1. Daniel Cottong . Foreman 12.  
2. William Wright . do . 10.

—253

## XVI.—THE MURDER OF JANE MACCREA.

To the Editor of the *Historical Magazine* :

This tragic occurrence, which produced so great an impression on the public mind, in England as well as America, at the time, as to become the subject of discussion in Parliament

and the English press of the day, has recently been revived by some of our writers on historical topics, who criticize Mr. Bancroft's account of it with some sharpness, challenging his fidelity to the truth of history, because he does not accept the modern versions of more or less ancient traditions, which have resulted in an opinion that the unfortunate girl really received her death-wound at the hands of Americans, not Indians. I am aware that this version has received the *imprimatur* of Mr. Lossing, Mr. Stone and others, but it seems to me to be quite time to ask these gentlemen what disposition they have made or we are to make of the contemporary accounts of those who certainly ought to have known what they were writing about, and whose statements can hardly be overthrown or set aside by those traditions of traditions on which the new versions rest.

General Gates was not slow to aggravate the excesses committed by the Royal army and their savage allies; and in his famous "tickler on the "subject of scalping," he imputed the Indian cruelties to Burgoyne, in a letter of the second of September, 1777.

Burgoyne's own statement, in reply to Gates, on the sixth of September, 1777, is as follows :

"In regard to Miss M'Rea, her fall wanted not "the tragic display you have labored to give it, to "make it as sincerely abhorred and lamented by "me, as it can be by the tenderest of her friends. "The fact was no premeditated barbarity. On "the contrary, two chiefs, who had brought her "off for the purpose of security, not of violence "to her person, disputed which should be her "guard; and in a fit of savage passion in one, "from whose hands she was snatched, the unhap- "py woman became the victim. Upon the first "intelligence of this event, I obliged the Indians "to deliver the murderer into my hands; and "though to have punished him by our laws or "principles of justice, would have been perhaps "unprecedented, he certainly should have suf- "fered an ignominious death, had I not been con- "vinced, from my circumstances and observa- "tion, beyond the possibility of a doubt, that a "pardon under the terms which I presented and "they accepted, would be more efficacious than "an execution to prevent similar mischiefs."

This statement is confirmed by the evidence of Lord Harrington, before the House of Commons, March 1, 1779, and Burgoyne's review of the evidence, which are printed in his *State of the Expedition from Canada*, published in London, in 1780.

Gordon, in his History, confirms all this, very emphatically. He says :

"My account of Miss M'Rea's death will differ "only circumstantially from Burgoyne's. Mr. "Jones, her lover, anxious on her account, en-

"gaged some Indians of two different tribes to convey her away from among the Americans for the purpose of security. He might fear for her, on account of her father's being interested in the royal cause and of her attachment to himself. He promised to reward the person, who should bring her safe to him, with a barrel of rum. The two who took her and carried her to some distance, disputed who of them should convey her to Mr. Jones. Each was anxious for the reward; and that the other might not receive it, one of them struck his tomahawk into her skull and killed her."

Gordon gives his authority in a foot-note, in which he says: "This is the substance of the relation given by Mrs. M'Neil, who was in company with Miss M'Rea when taken by the Indians."

When these documents are disposed of, we shall be better able to estimate the value of the traditions. G. H. M.

NEW YORK, December, 1866.

## XVII.—NOTES.

MASSACHUSETTS ELECTION SERMON (II. M. x. 156).—Having but one, still I will name it: 1777, by Samuel Webster, A. M., of Salisbury. M. M. JONES.

UTICA, N. Y.

THE BOSTON MASSACRE.—"The twenty-ninth Regiment of Foot," says the *Boston Daily Advertiser* of September, 1814, "which is now at Castine, is called the *Boston Regiment*, it being the same that perpetrated the memorable *Boston Massacre*. It is said that one man who was at that time a private in that regiment, still belongs to it, and is now at Castine." J. W.

BELFAST, Maine.

ANTHRACITE COAL.—A recent newspaper states that anthracite coal was first used in this country in the Wyoming Valley, by two Connecticut blacksmiths, in 1768-69; but it was not till 1808 that it was used for domestic purposes in the common grate. In that year, Judge Fell, of Wilkesbarre, recorded the fact that he had made the experiment of burning the common stove-coal of the Valley in a common fire-place, and found it answering all the purposes of fuel.

Gordon, in his *Hist. American Rev.*, ii. 32, mentions, among the principal articles left by the British at the evacuation of Boston, March 17th, 1776, "twenty-five hundred chaldrons of sea-coal." J. W.

BELFAST, Maine.

WASHINGTON AT TRENTON IN 1789.—According to the *Boston Daily Advertiser*, three venerable ladies still survive who were of the choir of young ladies that, dressed in white, greeted Washington as he entered Trenton in 1789, on his way to assume the Presidency, and who strewn his pathway with flowers. One yet lives in Trenton, another is the mother of the Hon. Mr. Chesnut, formerly senator from South Carolina, and the third, Mrs. Sarah Hand, resides in Cape May County, N. J. J. W.

BELFAST, Maine.

A HISTORICAL DIFFICULTY.—Some time ago, a silver coin was dug up in a ditch in the vicinity of Davidson College, N. C., on the obverse of which was the usual stamp of Spanish coins in the center; and around the border, "CARLUS III. D. G."

On the reverse, in the center, an abbreviation of the word *Carolus*, with III. under it; and around the border, "HISPANIARUM REX," with the date, as far as could be made out, 1711. But all the Chronological Tables give the reign of this king from 1759-1788. Its origin here could not be accounted for, and it was stolen from the cabinet of the writer afterwards.

We have heard of gold coins found in Lincoln County, in the route of the British army in 1781, at the places where they encamped. But we know not of what denomination. They either lost a number of twenty-five pound cannon balls, or threw them into Dutchman's Creek, in that County, one of which is in the possession of the writer. E. F. R.

A LETTER OF THE FIRST NAPOLEON.—In removing the archives of the State Department, a few weeks since, (on the demolition of the old building,) the following remarkable letter of Napoleon I. came to light. It had probably got mixed in with some dispatches from the French Minister to this country at that time. It was given by Mr. Secretary Seward to Mr. Gobright of the Associated Press, and is having quite a run through the papers. It seems to have accomplished its object, for Mr. Armstrong, the American Minister referred to, was soon supplanted by Joel Barlow, which pleased Napoleon, as on the official presentation of Mr. Barlow, he addressed him as follows; "I am happy to receive a Minister Plenipotentiary from the United States, particularly so distinguished a gentleman,—whose opinions are so well known to me. Make the English respect your flag, and you will obtain everything you wish from me."



CORRESPONDENCE OF NAPOLEON FIRST, 1810—  
16,147.

*To M. de Champagny, Duke de Cadore, Minister  
for Foreign Relations at Paris :*

PARIS, January 19, 1810.

MONSIEUR DUKE DE CADORE : You must see the Minister from America. It is beyond all ridiculous that he writes of things that one does not comprehend. I prefer that he should write in English, but at length, and in a manner that we can understand. How is it that in affairs so important he contents himself with writing letters of four lines ? Speak to the secretary who is here ; speak also to the secretary who is about arriving from America. Send by a courier extraordinary a despatch in cypher to America to make them understand that that Government is not represented here ; that its minister does not understand French—is a morose man, with whom one cannot deal ; that all obstacles would be removed if we had an envoy to talk with. Write in detail on the matter. Let me know what effect the letter from Attenburg has had in the United States, what has been done, and what is proposed. Write to America in such a manner that the President may know what a fool has been sent here.

NAPOLEON.

HISTORICAL COINCIDENCE.—There is a singular coincidence between Ezekiel and Herodotus.

In the prophecy of the former, Ch. xl. 5, he had a measuring reed of a cubit and a handbreadth in length. In Ch. xli. 8, he calls these "*great cubits*," see also Ch. xliii. 3. This prophet lived at or in the vicinity of Babylon about 600 B. C. Now Herodotus, called the *father* of profane history, lived about 500 B. C., and visited and described the city of Babylon ; and in Liber I., Sec. 178, he says, "the wall is fifty royal cubits in breadth, and in height, two hundred ; but the royal cubit is larger than the common one by three fingers breadth."

Both, then, must be speaking of the same cubit ; and this is mentioned nowhere else in the Bible ; unless perhaps there is an allusion to it in Revelations xxi., 15-17, where the angel that talked with John had a *golden* reed to measure the New Jerusalem ; "and he measured the wall thereof, a hundred and forty and four cubits, according to the measure of a man, that is, of the *angel*." The length of the cubit is ordinarily given at twenty-two inches ; this "*great cubit*" then will be about twenty-six inches. Now Mr. Rich says that the Babylonian bricks are thirteen inches square ; and as Herodotus says the wall was fifty royal cubits thick, this will give exactly a hundred bricks to reach across the wall.

The first synchronism of sacred and profane

history is said to be in Jer., xxv. 1, where the fourth year of Jehoiakim and the first of Nebuchadnezzar coincide. And in Ch. xxxii. 1, the tenth of Zedekiah is the same as the eighteenth of Nebuchadnezzar. In 2 Kings, xxv. 2, 8, the eleventh of Zedekiah falls upon the nineteenth of Neb.

E. F. R.

DAVIDSON'S COLLEGE, N. C.

ARNOLD IN MAINE.—A dwelling-house owned by Henry Norcross, in Augusta, Me., was burnt in June last. It was one of the oldest houses in the city, having been built in 1770, by James Howard, and possessed a historical interest as being occupied by General Benedict Arnold on his expedition to Quebec during the Revolutionary War. Dr. Senter, in his Journal of that expedition, says, under date of September 23d, 1776, "Head Quarters were at Esq. Howard's, an exceedingly hospitable, opulent, and polite family."

A recent number of the *Republican* (Maine) *Clarion* mentions the discovery of a gun-barrel, which was found at Arnold's Crossing, on Dead River, and is supposed to have belonged to some one of Arnold's men. It shows marks of long exposure to the weather, and is of an ancient date.

BELFAST, Maine.

LONGEVITY IN MAINE.—The town of Auburn, in Maine, with a population of less than three thousand, contained, in 1851, forty-nine persons, the youngest of whom was over seventy-three years old. All but eight had been inhabitants of the town for over half of a century. J. W.

BELFAST, Maine.

RED HOOK, N. Y.—A correspondent of the *Red Hook Advertiser*, speaking of an old resident of that town, says "he moved to Red Hook in 1815. Previous to that time he had spent several summers, whilst a youth, on the place now owned by Johnston Livingston.

"The family resided in the old stone house which formerly belonged to John Reade, Esq., which stood among the locust trees on almost the extremity of his (Reade's) Hook. At this point there was a dock, as good as that afterwards built at the Lower Tivoli Landing, last occupied by the Collyers, and quite a considerable freighting establishment. This stone house was occupied in 1815 by Mons. de Labigarre, who afterwards built, in French style, the Elmendorf house, or Chateau, as he called it, and laid out the city of Tivoli, which, according to his plan, would have adapted itself to the ground and made quite a handsome display.

"This Frenchman united a great deal of prac-

"tical ability and visionary scheming. He went into co-partnership with Chancellor Livingston. His first idea was to make china out of Reade Hoek clay—a failure; then to make paper out of the river weed known as 'frog-spawn.' This, as might be supposed, failed also. His next idea was to make soup cakes for the American Army during the last war (1812–15). This failed also.

"Mr. L. — recollects\* perfectly the mill in White Clay (now Ham's) Creek, and says that rafts were floated into a saw-mill therein, adjacent to the flouring establishment; that the North Cove was sufficiently deep to afford a favorable sailing ground when he was young. Here Chancellor Livingston built the hull of his first steamboat, the *Clermont*, or *Car of Neptune*, where it is now dry ground. The writer has lived in this neighborhood for twenty-five years, and he has witnessed changes he could hardly have believed possible. His informant, who lives in the only building which the British did not burn when they came up the river in 1777, witnessed almost as great changes between 1815, when he bought, and 1841. Even in 1815, things had altered materially from their original appearance, and centres of trade were beginning to shift their locations. Twenty-five years ago there was no vestige of the old Reade dock or dwelling, and it is doubtful if there are half a dozen persons alive who ever saw either.

"Mr. Reade was a son-in-law of the Gilbert Livingston who owned the Mansion House, which still stands between the two landings at Tivoli. ANCHOR."

### XVIII.—QUERIES.

EMANUEL SWEDENBORG.—This distinguished author is said by M. Sandel, in his *Eulogium*, to have been born "at Stockholm, the 29th of January, 1688;" and as an authority for the statement, "a note which he delivered in himself, to be inserted in the Register of the Nobles" of Sweden, is referred to. Yet, in a letter addressed by Swedenborg himself, in 1769, to his friend Rev. Thomas Hartley, of Winwick, Northamptonshire, it is said, "I was born at Stockholm, in the year 1689, Jan. 29." Can any of the readers of the MAGAZINE throw any light on the subject? W.

FORDHAM, N. Y.

HAMILTON AND THE PRESBYTERIANS.—We submit the following to our readers, as we know little on the subject.—ED. HIST. MAG.

HIST MAG., VOL. I.

4

BRIGHTON HEIGHTS, S. I.,  
Jan. 15, 1867. }

H. B. DAWSON, ESQ.

MY DEAR SIR:

A few years ago a distinguished Presbyterian minister made the remark in public, that Alexander Hamilton gave form to the Federal Constitution, and derived his *Republican* ideas of government from the Form of Government adopted by the Presbyterian Church. It is generally conceded that the Confession of Faith contains a very pure type of Republicanism. Now, it is certainly an important question, as to the extent of Hamilton's influence in the framing of this noble instrument, and a matter of interest to the Presbyterian family of churches as to how far our civil institutions were moulded by their systems of government. My own personal investigations do not convince me that the claim for Hamilton can be fully sustained, nor have I been able to find any authority for asserting the indebtedness of the Constitution to the Confession of Faith. Will you be so good as to give me your opinion upon these matters?

Truly your friend,

HEMAN R. TIMLOW.

BUFF AND BLUE.—What is the origin of the colors generally supposed to have been those which constituted the Continental uniform? Were they ever acknowledged as the uniform of the Continental or United States Army? If so, at what date were they adopted, and how? What regiments wore them? Had these colors anything to do with the English and Scotch Union, after the Revolution of 1688? Was BLUE recognized as the national color of Scotland, and was it united with Buff, as a substitute for Orange, the representative color of the House of Orange, as a memorial of the restoration of law, liberty and right in England, by WILLIAM III.? Why did Fox wear these colors? Did the Colonists adopt them from him, as one of their champions? An answer to these questions, or any of them, will much oblige a constant reader, who has devoted much attention to the subject without success. ANCHOR.

TIVOLI, N. Y.

EAST INDIA COMPANY'S ENSIGN.—Can any of your correspondents inform me when and how this flag, which appears to be identical with the Grand Union Flag raised by Washington at Cambridge, January 1st, 1776, originated, and by what authority it was adopted? It is certain that a flag of alternate red and white stripes, having an English Union or Jack in its upper corner next the staff, was the established ensign of the British East India Company as long as it

held sovereign possession in the Eastern Seas. It waved over the Company's forts, and was carried over the ocean by its vessels, and on land by its armies.

Your correspondent ANCHOR (Vol. viii. p. 395) mentions having a drawing of one of these flags, published in 1704, which has thirteen stripes. Your correspondent DELTA (Vol. ix. p. 35) has a drawing of one published in 1707, which has only *ten* stripes. In a chart of Flags in my possession, published in 1808 by Gio Antonio Lasso-Isnova, there is one with thirteen stripes and a white Union with the red cross of St. George. *The London Encyclopedia*, Vol. ix., 1832, gives, as the East India Company's, a flag of *thirteen* stripes, with the English Union, as at present composed, of the blended crosses of St. George, St. Andrew and St. Patrick, and has, in addition, adjoining the right-hand side of the Union, a red perpendicular stripe of the same width as the horizontal stripes, thus forming a St. George's cross across the whole flag. The latest edition of Webster's *Dictionary*, having the imprint 1867, has a drawing of an East India Colony flag precisely like the one in *The London Encyclopedia*. The evidence seems to favor the correctness of thirteen stripes. A striped flag with the British Union is at present the national flag of the Hawaiian Kingdom or Sandwich Islands. A similar flag was given to the New Zealanders before they were recognized as a British Colony. The flag of Liberia is like our own, only it has but a single star in the Union. It would be interesting to ascertain how and when those flags were assumed. G. H. P.

CHARLESTOWN, MASS., Nov. 20, 1866.

### XIX.—REPLIES.

ZARAH.—In Drake's valuable edition of HUBBARD'S *Indian Wars* (Vol. ii. p. 71), his note refers this name to "a city of Moab." The true reference should be to Genesis xxxviii. 28-30, where Hubbard's allusion to "the Scarlet Thread" receives its explanation. B.

BRUNSWICK, Me.

SEVERAL INQUIRIES (Vol. x. p. 291).—A complete history of Concert Hall can be found in Drake's *History of Boston*, 641.

The section of the town westerly of Beacon Hill, was called New Boston.

The ferry was from the foot of Hanover Street to Winnisimmet, now called Chelsea.

For a sketch of the life of John Morrison see Sabine's *Loyalists of the American Revolution*, ii. 108.

Hugh Dalrymple was the commander of the *Cerberus* frigate from 1773 to 1776. W. K.  
NEW YORK.

GEORGE EACKER (Vol. x. p. 292).—There is a copy of the oration referred to, in the Library of the New York Historical Society.

An Oration, delivered at the request of the Officers of the Brigade of the City and County of New York, and of the County of Richmond, before them, and the Mechanic, Tammany, and Coopers' Societies, On the Fourth of July, 1801, in commemoration of the Twenty-Fifth Anniversary of American Independence. By George J. Eacker. New York: Printed for William Durell, No. 106 Maiden Lane, 1801. 8vo, pp. 23. W. K.

DOWNING—WARE.—The following, from the *Proceedings of the Massachusetts Historical Society*, 1862-3, p. 415, is an answer to the query signed PRENDERGAST (HIST. MAG., x., p. 378):

"The President read a passage from a newly-discovered letter of Emanuel Downing to his brother-in-law, Gov. Winthrop, which will be printed in the forthcoming volume of the Society's *Collections*, and which furnished some new information in regard to Downing's family history. It speaks of his father-in-law, Sir James Ware, as having recently died, etc., [1632]. Sir James Ware, whose second daughter, Ann, was the first wife of Emanuel Downing, was a highly distinguished person in Ireland, a member of the Irish Parliament in 1613, and knighted by James I. He was the father of that Sir James Ware whose works on Ireland had secured him the title of the Irish Camden, and of whom an interesting account, with a portrait, will be found in Thane's *British Autography*, Vol. ii., p. 38. A fine copy of the *Works Concerning Ireland*, in two folio volumes, is in the Boston Public Library; and in the second part of the second volume, p. 148, there is an account of the family of Sir James Ware, with a notice of his sister's marriage to Emanuel Downing."

The letter referred to will be found in the *Massachusetts Historical Society's Collections*, Fourth series, Vol. vi. A  
BOSTON.

### XX.—PROCEEDINGS OF SOCIETIES.

#### 1.—NEW ENGLAND HISTORIC-GENEALOGICAL SOCIETY.

*Boston, November 7.*—The monthly meeting of this Society was held this day, Dr. Winslow Lewis in the chair. The librarian reported donations during the last month of 27 volumes, 218



pamphlets, a file of the *Evening Gazette* for the year 1828, and four beautiful medallions exemplifying the rewards of merit in the Humane Society. The medallions were presented by Hon. Geo. B. Upton, Vice President of the Society.

The Historiographer read a biographical sketch of Edward Bush of Boston, a resident member, who died January 21, 1866.

A very able essay was then read by Rev. James Freeman Clarke, D.D., on "Method in the study of history, especially in schools."

Dr. Clarke began by describing the old-fashioned histories, read in our childhood, as a task and directly forgotten, and the romantic histories of Shakspeare and Scott, perfectly and always remembered. He asked how history was to be made as real and as interesting as romance? To a child, fable is not so interesting as reality, for the child always asks, when you tell him a story:—Is it true? Truth is really more interesting than mere fiction. Dr. Clarke suggested that:—1st. There should be more *local color* in the history taught in schools, more picturesqueness and painting out in detail, and illustrated his meaning by a reference to Hawthorne's *Stories for Children*. 2d. That the only thing committed to memory should be the pivotal dates around which history turns,—the dates from which others may be inferred, and suggested such a study as Mental Chronology. 3d. That history should be studied in classes, each person studying out of a separate book, and reading by topics, so that the recitation should be made more instructive and interesting. Dr. Clarke related a very interesting fact of the present Princess of Prussia. A lady who saw them at the palace some years since, when small children, told him that she noticed hung on the side of their room, well worn, and in apparently constant use, some of Hawthorne's books for children, such as *Grandfather's Chair*, &c., and, said Dr. Clarke, who knows but an essential element in the training by which they have been able to guide so victoriously the late contest with Austria, was by the inspiration received from the study of these and other works of a kindred character?

The paper of Dr. Clarke was philosophical and practical, touching upon the distinctive objects of the Society. The study of history in this new way called out strong expressions of approval from several prominent members. On motion of Mr. Sheppard, the Librarian, the thanks of the Society were presented to Dr. Clarke for his very instructive paper, and a copy was requested.

Rev. William Tyler of Newton gave an interesting account of his visit to the birthplace of Sir David Ochterlony, corner of North Centre and North-streets in this city, within a few days, making, by his research, the locality another

historical landmark in the northern part of Boston. Sir David Ochterlony was son of David Ochterlony, and was born Feb. 12, 1758. For his military services in India, he was created a baronet in 1816. He died 15th July, 1825; and was succeeded by Sir Charles Metcalf Ochterlony, who is now living in England in the enjoyment of that title.

The meeting was then dissolved.

[The minutes of the meeting in December, if one was held, have been miscarried or mislaid.—*ED. HIST. MAG.*]

## 2.—BOSTON NUMISMATIC SOCIETY.

*Boston*, November 1.—The monthly meeting of this Society was held this afternoon. After the usual introductory business, the Secretary called the attention of the members to an early description of the bronze medal of Washington, exhibited at the last meeting. From the list of "Memorial Medals," lately prepared by W. Elliot Woodward, Esq., it appears that the *Weekly Museum* of July 24, 1802, notices the purchase by a traveller at Birmingham of the medal, with the inscription "Emancipator of America;" probably it had just appeared. Dr. Fowle exhibited a small parcel of coins, among which was a scarce medal of Washington.

The Secretary showed something of the results of his travels in Europe. The most remarkable piece is a gold medal of size 36; on one side is the crowned bust of Louis XII., of France, in a robe ornamented with fleurs-de-lis, and wearing the order of St. Michael. On the reverse is the crowned bust of his Queen, Anne of Brittany, in a long veil and a dress covered with ermine spots, the arms of her Duchy. A collection of about one hundred coin and medals, purchased by the Secretary at Munich, was much admired. Most of the pieces are European, of the sixteenth and seventeenth centuries, but there are a few American rarities. Among the latter are the large "Libertas America," in silver; the smaller medal, with the reverse "Communi Consensu," the large inaugural medal of John Quincy Adams, in silver, and the pattern dollar of 1839; also two rare bronze medals of Franklin; one of these is Masonic, of French origin. The other has on the reverse a globe, an electric battery, a pile of books, and a broken chain and sceptre, with the inscription "Fulminis Tyrannidisque Domitor."

Among the foreign are the beautiful medal on the marriage of Maximilian of Austria to Mary of Burgundy, 1479, a large medal on the great victory of Lepanto, 1571, another on the destruction of the Spanish Armada, 1588, a crown of Frederic, Elector Palatine, as King of Bohe-

mia, 1621, and several medals of Martin Luther. The moderate cost of the whole collection was cause of surprise. The Secretary spoke of the ease with which fine coins could be found and bought in most parts of Europe; American pieces, in particular, seem to be very highly valued on the other side of the Atlantic.

### 3.—RHODE ISLAND HISTORICAL SOCIETY.

A meeting of the Rhode Island Historical Society was held at its Hall, in Providence, on the evening of the fourth of December, 1866, Governor Arnold occupying the chair.

A paper was read before the Society, by Professor Diman, on *Sir Harry Vane, the Younger, in his relation especially to Rhode Island*.

The paper began with a reference to the fact, that while Rhode Island was more indebted to Vane than to any other, after Roger Williams, for her existence as a distinct political community, his name had hardly found mention in her history, and had almost wholly faded from her traditions. While the veneration felt for Williams was attested by the splendid edition of his works, now in course of publication, there existed no memorial of one, through whose influence with the Long Parliament the first "free and absolute Charter of Civil Government" was granted to Rhode Island, and of whom Williams himself declared, "Under God, the sheet anchor of our ship is Sir Harry." A striking extract was quoted from the records of the Town of Providence, to prove the veneration and gratitude felt for Vane by the first settlers, and on all these grounds Professor Diman claimed that, although Vane had never set his foot within her narrow territory, he might still be justly regarded as one of the founders of the State.

Claiming, further, that in Rhode Island, if nowhere else, Vane should be fairly judged, Professor Diman proceeded to give a brief outline of Vane's early career, referred to his election as Governor of Massachusetts, and then considered, somewhat fully, the reason why Massachusetts writers, with the exception of Upham, had so much underrated him. The state of parties in the Massachusetts Colony was considered, and a comparison instituted between Vane and Winthrop, the representatives of the liberal and the conservative elements. The reverence felt for Winthrop, as a wise and judicious magistrate, had unfavorably affected the view taken of his opponent. Winthrop had always in view the interest of the Colony, while to Vane, Massachusetts was a means, and not an end. He came to this country in search of an ideal State; such as, at that time, existed only in his own sublime imagination; his fervid faith picturing in New

England a spring of liberty, pure and perennial as that fount of immortal youth which the Spanish explorers sought amid the everglades of Florida. While to Winthrop may belong the ample space in the annals of Massachusetts; on the page of that more inspiring history which concerns itself with universal man, the higher place must be assigned to Vane.

The career of Vane was next traced after his return to England; and his character was vindicated from the misrepresentations of English writers. Carlyle was particularly noticed in this connection; and his inadequate estimation of Vane was traced to his extravagant admiration for Cromwell, to whose policy Vane was steadfastly opposed. It was shown that the terms applied by Carlyle to Vane, "a man of light fibre," "a very pretty man," did not accurately describe one who managed the harsh affairs of England during the Dutch War, who conducted the different negotiations with the Scotch, who stood in the front rank of the debaters in the Long Parliament, and who earned the magnificent eulogium of Milton. Vane was not, as his enemies represented, a heated political enthusiast, not one disposed to hold to the time-honored traditions of English liberty.

The closing scenes in Vane's career were then described; and a parallel was traced between him and Sir Thomas More—one the noblest victim of the great political, as the other was the noblest victim of the great religious, revolution in England. Though in a different way, yet both laid down their lives, out of devotion to ideal truth, to a duty higher than any civil obligations.

The religious opinions of Vane were then passed in brief review, the speaker quoting the remark of Hume, that Vane's writings were absolutely unintelligible, with no traces of eloquence, or even of common sense; and showing that the views of Vane had been held by the early Christians, and by many distinguished men in our time. The theological writings of Vane were pervaded throughout with a depth of spiritual insight, and marked by a simplicity and nobleness of diction, which placed them in the front rank of the religious literature of the 17th century.

In conclusion, Prof. Diman expressed the hope that to the Gallery of Historical Portraits, in which were already gathered the faces of so many connected with Rhode Island, where were seen Channing and Berkeley, the features of the second Charles, the massive lineaments of Cromwell, there might be next added the noble countenance of one who combined the acuteness of Berkeley with the elevation of Channing, and to whom history accords a purer fame than to Cromwell, and to whom Rhode Island owes a far deeper debt than to Charles II.



## 4.—NEW YORK HISTORICAL SOCIETY.

December Fourth, 1866.—The Society held its regular meeting at its hall this evening, President De Peyster and a quorum of members being present.

The Librarian reported donations, during the past month, from several persons.

Mr. Augustus Schell, from the Executive Committee, reported favorably on the nomination of Hon. George W. Clinton, of Buffalo, N. Y., for corresponding membership, and on those of James Pott, Henry Hopkins, Colonel William H. Sidell, George W. T. Lord, Robert Stuyvesant, William W. Niles, Christian S. Delevan, and Edward Hasler, for Resident Membership; and the Society duly admitted the gentlemen referred to.

Mr. Schell, from the same Committee, gave notice of a proposed amendment of Article V. of the By-Laws of the Society, under which all persons hereafter elected to membership shall pay Twenty Dollars as an admission fee, and Ten Dollars yearly as dues, instead of the present rates.

Twelve gentlemen were proposed for Resident Membership of the Society, and the nominations were referred, under the rule, to the Executive Committee.

The paper of the evening was read by JOHN ROMEYN BRODHEAD, LL.D., on "*The Administration of Sir Edmund Andros in New England in 1688-89.*" As this paper is printed, *in extenso*, in another part of this number of THE HISTORICAL MAGAZINE, our readers will need no synopsis in this place.

On its conclusion, Mr. Erastus C. Benedict offered a resolution of thanks, with a request for a copy for the archives of the Society, which was unanimously adopted.

Doctor A. K. Gardner submitted a Preamble and Resolution on the death of Horace Green, M.D., LL.D., which, inasmuch as they involved the merits of Doctor Green's peculiar theory of practice in his own profession, were referred to the Executive Committee.

The Society then adjourned.

## 5.—THE AMERICAN ETHNOLOGICAL SOCIETY.

The Society held its meeting on Wednesday evening, October 10th, 1866, at the residence of Dr. F. N. Otis, the Second Vice-president, Dr. John Torrey, being in the chair.

The Corresponding Secretary, Dr. W. H. Thomson, read a translation of a letter written in Arabic, and received from General Otman Hashem, of Tunis, North Africa, acknowledging his election as a Corresponding Member, and expressing much satisfaction with his recent visit to America :

"TO GOD ONLY BE THE PRAISE!

"Unto the men illustrious among the sons of eminence; awake to subjects of great thought; the foremost riders on the race-course of perfection and knowledge, viz.:—Their Excellencies, the President and Secretary of the American Ethnological Society: May God watch over them!

"After the completest salaam and most special salutations, we would state that we have been honored with that which both gratified and rejoiced us—a distinguished writing informing us of our election as Corresponding Member of your Society, celebrated for its ways, and praised for its record. This we received at the hands of him who is dignified with the dignity of your great Government, Signor Amos Perry, Consul-General of America to the Court of Tunis. We express our thanks and obligations for your thinking of us in this connection, although we are not of those qualified for such things. We do not cease to remember, with all thanks, the kind manner of our reception during our journey to your great country—may God ever cause it to be well built and fortunate! We no longer wonder at your enterprising investigations, as you are citizens of such an honorable land; and we ask God that he will perpetuate and increase the communication and friendship between our country and yours. And may there ever remain to you the help of the Almighty.

"Written by him who stands in need of the mercy of the Exalted,

"OTMAN HASHEM,

"*Amir hira*, (Brigadier-General.)

"Second day of Rabur,

"Year of the Hegira, 1283.\*"

The Recording Secretary, Mr. Dwight, after making his report [which was one of unusual interest and proved to be his last], read letters from the Hon. George Folsom; Dr. E. Berchon, of Paris; Rt. Rev. John Payne; S. C. Roldan; Rev. A. Bushnell, D.D., of Gaboon, Equit. Africa, on races, languages and customs of Central Africa; Capt. Nicholas Pike; Henry McGuier, relative to High Rock Spring, at Saratoga, N. Y.; Waldo M. Potter, and Mrs. M. E. Francis.

A letter was also received from Amos Perry, Esq., U. S. Consul-General at Tunis, accepting his election as Corresponding Member, and promising to co-operate with the Society.

Dr. Otis exhibited one of the curious gold relics from the Chiriqui, upon which remarks were made by General Herran, Dr. Torrey, Mr. Dwight, and others.

Dr. Thomson stated that the subject of stone implements and relics has been shown, recently,



to have an important connection with Asiatic, no less than with European and American Archaeology, as the first use of bronze and iron, in Asia, is not of so remote a period as heretofore generally supposed.

Interesting cave discoveries in Belgium were reported by Mr. C. Rau, as described in the *Leipziger Novellen-Zeitung*, of August, 1866; and he also made remarks concerning a collection of flint implements from Rügen, at present in this city.

The following gentlemen were elected Corresponding Members of the Society:

Dr. J. Broca, Member of the Academy of Medicine, of Paris, and General Secretary of the Société d'Anthropologie de Paris; Bishop Williams, of the Prot. Epis. Mission in China; Edward L. Asher, of Punjaub, India; and Daniel G. Brinton, M.D., of Westchester, Penn.

The Librarian, Mr. Drowne, reported several books received from various sources; and (through the courtesy of Mr. George T. Paine) exhibited to the Society the proof-sheets of "Roger Williams' *Key into the Languages of America*," etc., which is being elegantly reprinted from the original edition, by the Narragansett Club, of Providence, R. I., with valuable annotations by J. Hammond Trumbull, Esq., of Hartford, Conn., and a biographical memoir by R. A. Guild, Esq., Librarian of Brown University.

A special meeting was held on Tuesday, October 30th, 1866, at the house of the first Vice-president, Thomas Ewhank, Esq., who introduced the proceedings of the evening with the following remarks:

"We are called together by the sudden death, under distressing circumstances, of our Recording Secretary, to pay that respect to his memory which is due to his character as a man, and to his services as an officer of the Society. The presence of so many friends and members, some from a neighboring city, in this inclement weather, is a pleasing proof of the general respect in which he was held. Kind, courteous and sincere, none knew him who did not respect him, and the better he was known the more he was esteemed; indeed, he possessed, in no small degree, the highest attribute of humanity, that without which no talents or attainments can confer true and enduring honor. He was a good man through life, remarkable for virtue and virtuous labors from youth to age, and as such was always prepared for the next stage of our existence. As long as these gross bodies hold us to this little place of our birth we cannot so much as exchange thoughts with occupants of even adjoining planets, to which this of ours is so closely related, but death has released the spirit of our friend, who leaving a record

"of enlightened thought, and of active and unostentatious benevolence here, has passed on before us to a higher school of Ethnology, one in which the real nature, the attributes and destinies of our species can alone be realized; and our relative position, as a class of intelligence in the intellectual universe, be made known. It has justly been said of him, that he devoted his life to literary and philanthropic pursuits, but the love of his species was the predominant feature of his character. It reached out to every race. He sought to extend knowledge to the ignorant, and freedom and happiness to the oppressed of every country. His yearnings and his prayers were for the social and political, the moral and religious advancement of mankind.

"He was quivering sensitive of the varnished evils of caste, still cherished in Europe, where Royal dynasties, landed aristocracies, and privileged orders are maintained by the impoverishment and degradation of those who supply the necessities, the conveniences, the elegancies, and the luxuries of life, and without whom there could be no commerce—classes, the fruits of whose industry are largely absorbed by institutions and standing armies to keep them at the foot of the social ladder. And few persons are more buoyant than was our late friend when contemplating, in the rising hopes of the world, manifestations of that law which is ordained to overthrow, in the order of Providence, everything opposed to it—the cardinal law of Progress.

"How warmly he received and how zealously he labored and wrote for patriotic refugees is widely known. His *Life of Garibaldi* and *The Roman Republic*, two small volumes, were contributions to the cause of Italy. His other writings will probably be brought to our notice this evening.

"His exertions in behalf of the Ethnological Society were above all praise. He was among its early supporters. I had the honor of attending: one or two meetings in Mr. Galatin's house; and, if I mistake not, he was present. Whatever may be its future fate, its past history is inseparably associated with the name and labors of Theodore Dwight. He gave to it his best energies through a long series of years, and often under circumstances as discouraging as open opposition. I have thought that but for him it had ceased to exist. It may be doubted if the records of any association can furnish an example of an unpaid officer more actively and perseveringly devoted to its interests in all seasons, in sickness as in health, and often involving pecuniary outlays he could ill afford. Among other acquisitions, his knowledge of ancient and modern languages

"was ever at our service; and through his correspondence with missionaries, he enlarged, to the marked advantage of the Society, the list of its foreign associates. He was—but I forbear, since there are those present vastly more competent to speak of the public and private worth of him whose loss we deplore.

"On this occasion, we have also to refer to the recent decease of another early and distinguished member of the Society, in whose study it met after the death of Mr. Gallatin—the Rev. Dr. Hawks. Without anticipating remarks that await us on his life and writings, and of respect to his memory, it may not be improper to express, in behalf of the Society, the hope that an important contribution to Aboriginal history, on which he was long engaged, will not be lost to the world. He frequently alluded to it in conversation, and he speaks of it in the Preface and notes to his translation of "Rivers and Von Tschudi's *Antiquities of Peru*."

Several distinguished members of various scientific and literary societies were present.

Mr. Ewbank, being in feeble health, then requested Dr. John Torrey, the Second Vice-president, to take the chair; when the Hon. E. George Squier (on behalf of the Committee) submitted the following resolutions, which were unanimously adopted:

*Resolved*, That in the death of THEODORE DWIGHT, Esq., this Society has sustained a loss of no ordinary character, for in him were centered not only the most varied qualifications of mind and education which peculiarly fitted him for his position as Secretary of this Society; but also his whole connection with this Society has been marked with the most earnest and self-denying interest and effort for its welfare.

*Resolved*, That his simplicity and purity of character, earnestness of purpose, self-abnegation, large sympathies, industry and unwearied philanthropy merit the respect of his fellow-citizens, and especially the gratitude of his associates.

Upon motion of the Rev. Mr. Syle, it was further

*Resolved*, That the Secretary be requested to communicate to the family of the deceased the preceding resolutions.

These resolutions elicited exceedingly appropriate and eulogistic remarks, respecting Mr. DWIGHT, from Professor C. E. West, Mr. E. G. Squier, Dr. Peter Wilson (chief Sachem of the Iroquois), Dr. Otis, and the Hon. Judge Daly.

Letters of condolence were received from Professor Henry, of Washington, John Russell Bartlett, of Rhode Island, Rev. Dr. Osgood, and William L. Stone, of New York.

The Rev. Dr. J. A. Spencer afterwards offered

the following Preamble and Resolutions, relative to the Rev. Dr. HAWKS, all of which were unanimously adopted.

*Whereas*, On the 27th day of September, 1866, it pleased Almighty God, in his wise Providence, to remove from all earthly labors the Rev. FRANCIS L. HAWKS, D.D., LL.D., Rector of the Church of the Holy Saviour, New York, in the sixty-ninth year of his age;

*And Whereas*, Dr. HAWKS was for a number of years Vice-president of the American Ethnological Society, and one of its most active, zealous and useful members; therefore,

*Resolved*, That in view of the great loss sustained, as well by science and literature as by religion, in the death of the Rev. Dr. HAWKS, the American Ethnological Society hereby gives expression to its deep sense of the rare and varied powers, and the noble and manly qualities of head and heart of its former Vice-president.

*Resolved*, That, recognizing in Dr. HAWKS one distinguished alike as a brilliant pulpit orator, a learned and eloquent writer, and a lover and promoter of science, this Society joins heartily in its sympathy with the Church and community at large, in the removal by death of its late eminent associate.

*Resolved*, That these resolutions be entered on the minutes of the Society; and also that a copy be sent to the family of the deceased.

Mr. Duyckinck, Judge Daly, Rev. Mr. Syle, and others supported the resolutions by paying interesting and affectionate tributes of respect to the memory of the Rev. Dr. HAWKS, and the Society then adjourned.

#### 6.—LONG ISLAND HISTORICAL SOCIETY.

December 6, 1866.—The regular meeting of this Society was held this evening, Hon. John Greenwood in the chair.

The minutes of the previous meeting were read and approved.

All the names proposed for membership at the last meeting of the Society were then unanimously elected. The following are the names:

Rufus Crook, H. E. Morrill, M.D., E. J. Ovington, Alex. Seabury, Thos. T. Ovington, Fritz Brosé, Charles F. Blake, Pickering Clark, John A. Spencer, Albert Jewett, Anthony F. Campbell, Geo. A. Haines, William H. Otis, Edwin C. Litchfield, Harlow Roys, Col. Wm. H. de Bevoise, Henry S. Manning, Edward R. Melville, DeWitt C. Kellinger, Frederick W. Kalbfleisch, Thomas C. Fanning, Oliver G. Gordon, Lt.-Governor Stewart L. Woodford, Edwin Bulkley, H. W. Reeve.

The Chairman then introduced Mr. WILLIAM A. LAWRENCE, Superintendent of the Children's



Aid Society, of Brooklyn, who read a paper on *Sherman's March from Atlanta to the Sea*.

The value of the paper lay in the fact that it gave nothing at second hand, but was fresh from the actual experience of an eye-witness to scenes in the war for the Republic, that History "will not willingly let die." We have room for only the following synopsis:

1.—*The Preliminary Steps to the March.*

(1) The sifting of the *Generals*, giving us Sherman.

(2) The training of the *men* to forage, march, and cook.

2.—*The Objects of the March.*

(1) To cut off all Railroad communication between the Rebels, East and West.

(2) To destroy the Rebel Granary of Supplies in Central Georgia.

(3) To convince the Rebels that, if they preferred extermination to submission, they were likely to be accommodated in the matter.

(4) To relieve our blockading fleet of at least one such troublesome port as Charleston, Savannah, or Mobile.

(5) A flank movement on Richmond.

3.—*The Progress of the March.*

(1) Breaking up Railroads, and the fight at Griswoldville.

(2) "Foraging liberally on the country," as per Sherman's Order, No. 120.

(3) Marching through swamps.

(4) Opening communication with the Fleet by the taking of Fort McAllister.

4.—*The Results of the March.*

(1) The Rebellion cut in two.

(2) The supplies of the Rebel Army of the West destroyed.

(3) "The war carried into Africa" to some purpose at last.

(4) Blockading vessels relieved of Savannah.

(5) Thirty-seven thousand bales of cotton, much needed at the North.

(6) The whole South shown to be at our mercy.

(7) Sherman needing no base, Richmond was known to be flanked already, and the Rebellion hopeless.

5.—*A parting tribute to the Memory of an otherwise unknown soldier*, who lies buried on the banks of the Ogeechee, near Savannah—Samuel Strangham, of the Fifty-third Indiana Volunteers.

The paper at the outset sketched rapidly the various failures of the "Proclamation Generals," Fremont and Pope, the "Neutral Generals," Halleck, Buell and McClellan, the "Limited Generals," Burnside and Hooker, until, at last,

on the twelfth of March, 1864, the "Unfailing Grant" was put in command of the whole line. Grant gave us Sherman over the immense Military Division of the Mississippi, and Sherman, untrammelled, gave us the Great March to the Sea.

The army under the command of General Sherman, after the fall of Atlanta, was composed of nearly one hundred thousand picked men—men who had fought and marched, side by side, till they had acquired the most enthusiastic "*esprit du corps*," and the most unbounded confidence both in themselves and in their Generals, especially in "Billy Sherman."

Out of one hundred thousand such men as these, Sherman picked again some seventy thousand, including the Fourteenth, Fifteenth, Seventeenth and Twentieth Corps, and Kilpatrick's Cavalry. Hood had taken the remains of his shattered army Northward, against Nashville, quite out of Sherman's path to the sea, and left him on the eleventh of November, 1864, with the Seventeenth Corps at Gaylesville, the Fifteenth at Rome, the Fourteenth at Kingston and below, Kilpatrick at Marietta, and the Twentieth Corps in Atlanta.

The march commenced on the eleventh, from Rome, Gaylesville, Kingston, and Marietta; and the four Corps, with Kilpatrick on the Right Flank, left Atlanta on the Fifteenth and Sixteenth of November, each Corps taking its own road, and to rendezvous in seven days near Milledgeville. The feint on Macon, on the twenty-second, the fight at Griswoldville, and the slaughter of the Georgia militia by Walcott's Brigade, of the Fifteenth Corps; the tearing up of the great lines of railroad between Augusta and Atlanta, and Savannah and Macon; and the taking of Fort McAllister and fall of Savannah, were described in detail, under the "Progress of the March." The speaker's estimate of the character of General Sherman, based upon nearly two years' experience in the army, was somewhat different from the popular notion of the great General. He was described as not at all "dashing," and hardly even *bold*, but, on the contrary, extremely *cautious*, *watchful*, and untiring in his attentions to all the conditions of ultimate success, getting every little thing in perfect trim, so that at last the blow came as bold and sudden as the lightning, but Sherman, perhaps, for months previous had been carefully forging the thunderbolt. Then those who saw the flash, but had not seen the slow brewing of the storm, thought Sherman simply brilliant, instead of the careful, far-seeing, thoroughly *reliable* man that he is.

Mr. Lawrence was listened to with great attention by a crowded audience, who testified their satisfaction by frequent applause.

At the conclusion, a resolution of thanks was



unanimously adopted, and the speaker was requested to deposit with the Society a copy of his exceedingly interesting paper.

The meeting then adjourned.

A. COOKE HULL,  
*Recording Secretary.*

December 20th, 1866.—The regular semi-monthly meeting of this Society was held this evening, Hon. John Greenwood in the chair.

After the reading of the minutes, the following gentlemen were elected members of the Society:

James Myers, Alfred E. Myers, F. Rawdon Myers, James G. Weld, Charles C. Mudge, John H. Prentice, W. W. Huse, Rev. Samuel H. Hall, D.D., Henry Hosford, Coddington Billings, Nathan Lane, Crawford C. Smith, John S. Bagley, Wm. W. Thomas, Wm. E. Bailey, Samuel McElroy, E. R. Squibb, M.D., George W. Dow, D. Wadsworth, Cyrus Pyle, Rev. J. M. Buckley, Capt. P. A. Spearwater, Edward H. Arnold.

Twenty-five new nominations for membership were then offered, after which, General STEWART L. WOODFORD, Lieutenant-Governor elect of the State of New York, read a lecture on *Fort Sumter*.

He detailed, clearly and most eloquently, its history, from the time of the first firing upon it by the rebels, to the period when the authority of the United States Government was fully re-established. The lecture, though on a subject so familiar to all, was so ably prepared, and contained so many fresh facts and illustrations, drawn from documents not easily accessible, and was, besides, so gracefully delivered, that the interest of the large audience present was held enchained to the close.

A resolution of thanks was adopted, amid applause, and the meeting adjourned.

A. COOKE HULL,  
*Recording Secretary.*

## 7.—HISTORICAL SOCIETY OF PENNSYLVANIA.

The regular monthly meeting of this Society was held on Monday evening, the tenth of December, 1866, at the Society's hall, in the Athenæum Building.

A large number of members and others were in attendance, and William Bartram Snyder, Esq., read a paper on *The Life of the late Colonel Robert Carr*, who, some time previous to his death, concluded that the Historical Society was the proper depository for manuscripts and other matter relating to the war of 1812. In accordance with his wishes, his various commissions, and also his valuable and interesting manuscript Journal of the war of 1812, were presented to the Society.

The commissions are four in number, viz.: One as Captain in the Eighty-fourth Militia, from Governor McKean, of Pennsylvania, dated the first of May, 1803; one as Major of the same regiment, from the same, dated the third of August, 1807; and two from President Madison—one as Major of the Sixteenth Regiment U. S. Infantry, dated the third of July, 1812, and one as Lieutenant-colonel of the Fifteenth Regiment U. S. Infantry, dated the twentieth of April, 1815. We give a brief synopsis of Mr. Snyder's address:

Colonel Robert Carr, at the time of his death, was the most aged member of the Historical Society of Pennsylvania. He was born near Belfast, Ireland, in 1778, and came to Philadelphia with his parents in 1784. His father was a merchant, and died a few years after his settlement in the New World. In his early youth, Robert Carr made the acquaintance of Doctor Franklin, and was apprenticed to the printing business in 1792, in the office of Benjamin F. Bache, a grandson of Doctor Franklin. He was quick of apprehension, and attained to such proficiency in the art of printing, that he was appointed foreman of the office before his term of apprenticeship had expired. In this office was printed the *Aurora*, a prominent newspaper of the day.

In 1801, at the age of twenty-three, he commenced business on his own account; and in 1804, received from the American Association of Booksellers, assembled in New York, "the first gold medal for general excellence in printing" which had been offered by their Society. This compliment was occasioned by an edition of the Bible in four volumes, octavo. He also printed an edition of Rees' *Encyclopædia*, and one of Moore's *Poems*. As a printer, he was acknowledged to be a complete master of his profession; he was enterprising, and always on the alert to introduce improvements; he was among the first to use rollers instead of the old balls, and was the very first to use Johnson's printing ink, and to certify to its superiority. The discipline of the printing-office was manifest in his after life, in his habits of order, accuracy and punctuality.

He was a frequent contributor to the press, and his articles bore the impress of his intelligent and well-informed mind, and were remarkable for the accuracy of their composition. During his entire life, his manuscript, which was in the Italian style, was remarkable for its beauty and legibility.

From an early period, he took an active interest in military matters, and served as a Major of the Eighty-fourth Regiment of Pennsylvania Militia; he was also a member of the celebrated "Macpherson's Blues."

Upon the declaration of war between the United States and Great Britain, in 1812, Robert

Carr tendered his services to the Secretary of War, and was appointed as a Major of the regular service, and assigned to the Sixteenth Infantry. During the war, he was stationed at various posts on the northern frontier, at Plattsburg, on Lake Champlain, and Sackett's Harbor, Oswego, and other posts on Lake Ontario.

In June, 1813, Major Carr was assigned to the command of the important post of Oswego, a prominent depot of military stores on Lake Ontario. Four days after assuming command of this post, it was attacked by the British fleet cruising on the lake, but they were signally repulsed by the greatly inferior number of troops under Major Carr, and for his gallant and stubborn defense of Oswego he was promoted to the rank of Lieutenant-colonel, and assigned to the Fifteenth Infantry. During the war, he kept a diary, which contains much interesting matter relating to the campaigns on the Northern frontier.

Upon the re-organization of the regular army under the general order of May seventeenth, 1815, he retired from the military service of the United States. In 1820 he was elected to the Legislature of Pennsylvania, and in 1822 was appointed Adjutant General of the State. During his term of office he prepared a "Manual for the Instruction of Riflemen and Light Infantry." In March, 1809, Colonel Carr was married to Ann, the second daughter of John Bartram, and granddaughter of the founder of the first botanic garden in America.

In 1815, after the close of the war, Colonel Carr took up his residence at the Bartram Botanic Garden, on the Schuylkill, below Philadelphia, the property having come into the possession of Mrs. Carr, at the death of her father, during the war. This place had been established in 1728 by John Bartram, who was the first American to conceive and execute the design of a botanic garden for the reception and cultivation of native and exotic plants. He stocked this plantation of three hundred acres with a great variety of specimens of the vegetable kingdom, collected during his various journeys, from Canada to the Southern Colonies and the Mississippi river, in which he was accompanied by his son, William Bartram, who afterwards became known as the traveler, naturalist and author.

The venerable mansion on the hill, in the midst of the garden, was built by John Bartram in 1731, and is still preserved in its primitive style by Mr. Eastwick, who purchased the estate in 1850. On the northern limit of the property is located the well-known Eastwick Skating Park. This delightful Arcadian retreat was the favorite resort of Washington, Jefferson, Franklin, and the early members of the Philosophical Society.

Colonel Carr numbered among his guests, Wilson, the ornithologist; Nuttall, the botanist; Raffinesque, the voluminous writer on medical botany, and others well known in the scientific world.

It is believed that the Bartram garden contains the largest variety of native trees found in any one collection in America. Downing considered this the most interesting garden in America to every lover of trees. Mr. Meehan, in his *Hand-book of Ornamental Trees*, has accurately described the leading specimens of native trees in this collection. In his vocation as horticulturist, Colonel Carr displays the same degree of intelligence and spirit of enterprise that characterized him in other walks of life. He originated a system of international exchange of vegetable products, the idea of which has been extensively carried out by the agricultural bureau of the Patent Office.

In 1822, he succeeded in raising cotton in the open air. He cultivated rice, the opium poppy, the castor-oil plant and madder, tobacco and the pea plant. He had the largest variety of camellias and dahlias in any one collection, and devoted particular attention to magnolias, roses and fruit trees. He planted a vineyard and received a premium from the Philadelphia Agricultural Society for the best American wine. He was one of the earliest members of the Pennsylvania Horticultural Society, and for a number of years was one of its vice-presidents. He was among those who organized the association of Defenders of the Country in the war of 1812, and at their regular meetings he was almost invariably called upon to read Washington's Farewell Address and the Declaration of Independence, which he did up to the month preceding his death, without the aid of glasses.

One of the most interesting events towards the close of his life, was his visit to New York, in May, 1863, as one of the delegates from the Historical Society of Pennsylvania to the celebration of the "two hundredth anniversary of the birth of William Bradford, who introduced the art of printing into the middle colonies of North America." During a period of thirty-eight years he held the office of justice of the peace for the townships of Kingsessing and Blockley.

Colonel Carr was of medium stature; his temperament was the vital-motive, and his physical health remarkable throughout his entire life, and was confined to his bed but a few days previous to his death. He was quick in perception and possessed a remarkably retentive memory. There was a deep vein of humor in his composition; he was keenly alive to criticism, extremely independent in spirit, and generous a fault; his integrity was undoubted, and no man could guisay his word. His death occur-

red on the fifteenth of March, 1866, in his eighty-ninth year, and with him departed the last surviving field-officer from Pennsylvania of the regular army of 1812-1815.

Colonel Carr was a member of the following societies: Academy of Natural Sciences of Philadelphia, New York Horticultural Society, Philadelphia Typographical, Academy of Natural Sciences of Bucks County, Massachusetts Horticultural, Pennsylvania Horticultural, Columbia Horticultural of Washington, American Institute of New York, Society of Soldiers of the War of 1812, Historical Society of Pennsylvania.

#### 8.—THE STATE HISTORICAL SOCIETY OF WISCONSIN.

The Stated Meeting of this Society was held at Madison, on the eighteenth of December, 1866.

Present, Messrs. Delaplaine, Fairchild, Butler, Benedict, W. S. Smith, Tibbits, Gurnee, Skinner, Carr, Atwood, Rublee, Pinney, Mills, Shipman, Vilas, Hobbins, Ross, Durrie, and Draper; General G. P. Delaplaine in the Chair.

The Secretary reported sixty-one letters received; among them, one from Mrs. Ann J. Hathaway, of Milwaukee, presenting portraits of her late husband, Hon. Joshua Hathaway, and Bishop Henni, as formerly requested by the Society; from Gen. C. C. Washburn, Gen. H. C. Hobart, and Gen. H. E. Paine, promising their portraits for the Picture Gallery.

The Librarian reported as additions to the library three hundred and twenty-six volumes by donation; one hundred and five by purchase: pamphlets, three hundred and thirty-seven by donation; one thousand one hundred and eighty-two by purchase—total additions, one thousand five hundred and nineteen. Of the pamphlets, one hundred and twenty-two relate to the war, and valuable, from Robert Clarke, of Cincinnati. Several interesting additions to the Cabinet were also reported.

Several accounts were presented, and referred to the Auditing Committee, who recommended their allowance, which was adopted.

The Library Committee reported upon the offer of the Tank library to the Society, and recommended its acceptance, with a vote of thanks to the generous donor, Mrs. Otto Tank; also recommending that efforts be made to secure the British Patent Office Reports. Adopted. Whereupon, Messrs. Prof. Butler, Fairchild, and Gen. Atwood were appointed a Committee to communicate to Mrs. Tank the action of this Society with reference to her munificent gift.

Voted, to hold the annual meeting on Thursday evening, January third ensuing; and that Messrs. Draper, Durrie, and Conover prepare the annual report.

Gen. J. K. Proudfit and Major John C. Spooner were elected Active Members; Hon. Ezra Cornell, of Ithica, N. Y., an Honorary Member, and several corresponding members. Adjourned.

## XXI.—BOOKS.

### I.—RECENT PUBLICATIONS.

1. *Record of the Trial of Joshua Hett Smith, Esq., for Alleged Complicity in the Treason of Benedict Arnold, 1780.* Edited by Henry B. Dawson. Morrisania, N. Y.: 1866. Octavo, viii., 116.

Our readers will recollect the interest which attached to this Record, as it appeared, month after month, in our pages, and unfolded some of the least-known features of Arnold's treason in 1780. We have taken that Record, thus presented, and brought it together in a handsomely-printed volume, from the Bradstreet Press; and fifteen copies have been assigned as the first of a series of volumes, entitled *The Magazine Miscellany*, while thirty-five copies, as independent volumes, and without the title-page of *The Miscellany*, are offered to those who shall desire the work in that form. The fifty copies, thus disposed of, constitute the entire edition.

2. *Dies Ira.* New York: Privately Printed, 1866. Octavo, pp. 9.

We have here a most exquisite little reprint of Mr. H. M. Bright's version of this ancient Monkish Song, the high merit of which has attracted some attention.

It is chiefly interesting to us as a specimen of fine printing, for private circulation. The edition numbered just thirty copies.

3. *Dies Ira.* New York: Privately Printed, 1866. Octavo, pp. 9.

The little volume last referred to has been produced in this form, the entire text being in *black letter*, with the title and numbers of the verses in *red*.

It is a choice specimen of printing from the Bradstreet Press; was intended only for private circulation; and numbered only 40 copies.

4. "A Happy New Year!" *An Offering to the Owls.* From Nonpareil Quadrat. X. P. D. January 1, 1867. "*Animis opibusque parati.*" Owlilian Motto. Yonkers: Printed at the office of "The Gazette," for J. G. P. Holden, exclusively for private circulation, 1867. Octavo, pp. 24.

There is a club, in Yonkers, which seems to delight in the title of "The Owls of Yonkers;" but we are entirely unacquainted with its objects and, with one exception, its members.



The volume before us is a very neatly printed tract, muslin-bound, with gilt edges, which has been prepared by the Secretary of the Club—our Assistant while Editor of *The Gazette*—for New Year's Gifts to his fellow members, and to a few personal friends. It contains, beside a Roster of the Club, a Poem, entitled "The Christening of the Owls," by R. Franklin Hughes, A.M.; "An Essa onto Owls," by "Josh Billings," and a series of letters.

As a literary performance it is beneath notice; as a specimen of "private-printing" from a country newspaper-office, it is highly creditable—we only regret that the labor and material were not spent on a more worthy object. We may mention, in this connection, that the practice is not common to place the Dedication of a volume *before* the Title-page, as the printer has done in this instance.

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5. *Additional Notes on the History of Slavery in Massachusetts.* Sine loco, sine anno. Octavo, pp. 16.

In this form and under this title we have a private reprint of "Mr. Moore's Reply to his 'Boston Critics,'" which appeared in the December number of THE HISTORICAL MAGAZINE.

Of the merits of this work we need only repeat what was said of it by one of the leading dailies in Boston, in a review of the Magazine: "It disposes of Mr. Moore's Boston critics, whoever they are, in a very summary and unanswerable manner."

It has been printed in this form, by the Author, for private distribution only.

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6. *A Commentary on the Holy Scriptures: Critical, Doctrinal, and Homiletical, with special reference to Ministers and Students.* By John Peter Lange. Vol. IV. of the New Testament, containing Acts of the Apostles. New York: Charles Scribner & Co., 1866. Octavo, pp. x., 450.

This very elaborate Commentary seems to be steadily progressing through the Press; and we are glad to learn that it has been received throughout the Churches with general favor.

We are not quite sure that any work which professes to be without sectarian bias is of much value; but in the case before us, if in any, we are inclined to admit its general usefulness, while we disapprove, as in the case of the Baptism of the Eunuch, its evident dislike of whatever in the Scriptures tells against the sectarian notions of its authors and editors.

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7. *Lee and his Generals.* By Capt. Wm. P. Snow. New York: Richardson & Co., 1867. Octavo pp. 500.

A series of biographical sketches, mostly illustrated with portraits of the subjects, forms the contents of this volume. The title indicates the persons of whom these sketches treat; and it re-

mains only for us to say that they appear to have been carefully written and from the Southern standpoint.

But for the very inferior quality of the paper on which it is printed, the volume would be a neat one; as it is, the printer has not had a fair chance to do justice to himself.

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8. *The Life and Times of Sa-go ye-wat-ha, or Red Jacket,* by the late William L. Stone. With a Memoir of the Author, by his Son. Albany: J. Munsell, 1866. Octavo, pp. 510.

The early edition of this volume is so well known to all who have taken any interest in American History, that further description is needless; in this new edition, we are told, the entire work has been revised and made more complete, from certain manuscripts collected by the author, after the work had originally gone to press. An elaborate Memoir of Colonel Stone, also, has been prefixed to it.

It has been carefully printed by Mr. Munsell; and it will be welcomed by all who are interested in either the history of the Iroquois, or that of the State of New York.

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9. *History of England from the Fall of Wolsey to the Death of Elizabeth.* By James Anthony Froude. Reign of Elizabeth, Volumes I. II. New York: Charles Scribner & Co., 1867. Octavo, pp., Vol. I., xvi., 554; Vol. II., xii., 496.

Our readers have been already informed of the peculiarities of this new History of England, and the claims to their favor which it presents.

The two volumes now before us extend from the death of Mary until 1567, embracing the intrigues of Spain and France for the marriage of Elizabeth, the coquetry of Elizabeth, and her troubles with Mary Stuart, Queen of Scotland, the War with France, the Irish troubles, etc.; and in the discussion of the various complicated questions which have been presented for his consideration, Mr. Froude has displayed, again, the great ability, untiring industry, and unflinching courage, which made his earlier volumes so interesting and so trustworthy.

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10. *Philip II. of Spain.* By Charles Gayarré. With an Introductory Letter by George Bancroft. New York: W. J. Widdleton, 1866. Octavo, pp. viii., iv., 366.

Mr. Gayarré is widely known as one of our most careful historians; and his *History of Louisiana*, also published, we believe, by Mr. Widdleton, has become an authority in our history.

In the volume before us, he has discussed the life and character of the husband of "Bloody Mary" of England—the wretch who was styled "The Demon of the South;" not a merely dry detail of births and deaths, of plots and counterplots, of murders, wars and persecutions, but an elaborate essay on the character and conduct of

the tyrant and of those by whom he was surrounded. The condition of Spain, also, as seen in its Cortes, its literature and its industry, is also noticed; and there has been no false delicacy in its author, in failing to tell distinctly just what he means.

Mr. Gayarré seems to entertain the same opinion of Philip that we do of John Winthrop—that he honestly supposed that the outrages which he committed were required of him by God, and that he was only discharging a simple *duty* when he so grossly violated the rights of others, and outraged humanity, almost without a parallel.

Mr. Bancroft's letter seems to have little connection with the work, and would serve better as an introduction to Rives's *Life and Times of James Madison* than to Gayarré's *Philip II. of Spain*.

The work has been handsomely printed by Jenkins, on laid paper, and, with Froude's *Life of Mary*, should find a place in every well-appointed library.

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11. *The Works of The Right Honorable Edmund Burke*. Revised Edition. Volumes IX. and X. Boston: Little Brown & Co., 1866. Octavo, pp. ix, iv, 493; x, iv, 451.

We have so often called the attention of our readers to this elegant edition of Burke, that we need only announce the appearance of its ninth and tenth volumes, which are devoted entirely to the impeachment of Warren Hastings.

Two volumes more will complete the work.

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12. *The Abnakis and their History*; or, Historical Notices on the Aborigines of Acadia. By Rev. Eugene Vetromile. New York: Jas. B. Kirker, 1866. Duodecimo, pp. 171.

This volume, which is neatly printed and elaborately illustrated, was written by Father Vetromile, the Missionary of the Etchemins, and is sold for the benefit of the Indians.

The history of the Roman Catholic Missions among the Eastern Indians is, indeed, an interesting one; "for," in the language of Father Vetromile, "before Lord Baltimore, in the *Ark and Dove*, entered Chesapeake Bay and planted the Catholic religion on the shores of the Potomac "in Maryland, the Mission of St. Savior had been established by Father Peter Biard, at Mount Desert, where a Catholic chapel was erected; "and the Catholic religion acquired the right of "first occupation in the State of Maine—a right "which was sealed with the blood of Bro. Du Thet. From the Indian villages of Mount Desert, the Etchemins saluted the Catholic Missionaries, seven years before Samoset, from the rock of Plymouth, welcomed the Pilgrims of the *Mayflower*. Before George Popham stepped "on an Island of the Kennebeck river, the shores "of that river and the St. Croix had been dedicated to the Catholic religion by Father Biard

"and other missionaries from France, and by "French settlements, under De Monts, on Boon Island." The history of those Indians, among whom the Missionaries have been so long employed, must, therefore, possess a great deal of interest.

In the volume before us, the author has first noticed the great body of Indians in America, and their divisions and subdivisions into families and nations. He has then described the Abnakis as an original and distinct nation; their manners and language; and their handwriting. He has also described Acadia; told of the sites of the aboriginal settlements; separated the Etchemins and the Mecmacs from the Abnaquis; and narrated with much care the peculiarities of the Indian religion and superstitions, their public life, their knowledge of astronomy and divisions of time, their domestic life, and their present condition, partisan divisions, traits of character, etc. All this he has done with much particularity and precision; but we confess that the *History* of the nation has not received much attention—indeed, it is only incidentally alluded to, just as the recent war is alluded to among other and distant subjects.

Of the engravings, one is certainly incorrect—we refer to that of the *prostrate* monument to Father Rales; and several of the others might have been dispensed with.

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13. *War Poetry of the South*. Edited by William Gilmore Simms, LL.D. New York: Richardson & Co., 1867. Octavo, pp. viii., 482.

This elegant volume, from the press of Rand & Avery, Boston, contains a selection of "War Poetry," selected from the works of Southern writers, by the veteran Historian of South Carolina; and, as he insists in his preface, it may properly be considered a part of the standard Literature of the Republic.

The material is said to have been collected from every State in the South, and arranged chronologically—that is, the pieces which were composed or related to the early incidents of the War find precedence in this volume over those which were composed later or relate to the closing scenes of the contest.

As may be expected, the pieces are of unequal merit; but the collection must find a place in every well-appointed library, as an important contribution to the History of the most eventful struggle since the close of the War of the Revolution.

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14. *Hopefully Waiting, and other Verses*. By Anson D. F. Randolph. New York: C. Scribner & Co., 1867. 16mo, pp. 101.

In this extremely neat little volume, written by one of "the Trade," and inscribed to another

—both among our personal friends—we have found some of the most exquisite little gems of poetry which we have ever read—just such verses and just such teachings, indeed, as will come home to the most secret recesses of the heart of many a parent and husband, who has been called from his combat with the world of business, and the hidden, cankering cares of every-day life, to yield his household treasures to death.

The leading piece, which furnishes the title to the volume, is a chaste rebuke of Stilling's Blessing on the Home-sick—a rebuke which marks its author as one of the few who are not chafing in the harness, and longing impatiently for relief—as one of those who, on the contrary, are constantly inquiring, "What wouldst thou have me do?" patiently performing the work which has been placed before them, and "hopefully waiting" its completion.

15. *History and Resources of Dakota, Montana, and Idaho.* To which is appended a Map of the Northwest. By M. R. Armstrong, Secretary of Dakota Historical Society. Yankton, D. T. Geo. W. Kingsbury, 1866. Duodecimo, pp. 22.

We are indebted to the author for this very interesting little volume; and we take pleasure in calling the attention of our readers to it, as one which will interest them.

Commencing with the Indian traditions of discovery, the author traces the early explorations in the Northwest, and its early Fur trade, narrates the history of the Territory of Dakota, and the subsequent organization of Montana and Idaho, discusses the future of the vast regions embraced in the three Territories referred to, describes their climate, resources, etc., and tells his reader concerning the routes to be taken to reach them. It is illustrated with a good map; and it will undoubtedly prove serviceable to all who shall desire any knowledge concerning that portion of the mighty West.

16. *Report of the Superintendent of Education for Lower Canada, for the year 1865.* Printed by order of the Legislative Assembly. Ottawa, 1866. Octavo, pp. 75.

In this elaborate report we have the records of the Educational Department of the Government of Lower Canada, for the year 1865, from which it appears that there were 3,706 institutions, affording an education to 202,648 pupils, at a cost to the people of \$597,448—an increase during the preceding ten years of 838 institutions, 75,590 pupils, and \$348,312 of assessments. The relative increase of cost indicates an improved grade of accommodation, or teachers, or both; and the same cheering improvement is seen in the number of pupils "able to read well," in 1865, 96,491 against 43,407, in 1855, and in those who can write, in 1865, 107,161, against 58,933, in 1855.

The prosperity of which we have spoken, we understand, is largely the result of the intelligent labors of Hon. Pierre J. O. Chauveau, the Superintendent of Education; and we shall be glad to notice, in any of our own States, a more encouraging state of affairs.

17. *Annals of the City of Trenton, with Random Remarks and Historic Reminiscences,* by C. C. Haven. Trenton, N. J., 1866. Octavo, pp. 31.

Four articles which originally appeared in *The State Gazette*, over the signature of "SENEX," have been collected into this pamphlet, with some additions. It is a very interesting little affair, describing the city and its vicinity, recounting its "past," and speculating, here and there, on its future.

The events of the early days of the Republic are, also, referred to; and the historical student will find it useful concerning the localities, in that vicinity, as known to the present generation, which were notable places, in the days which tried men's souls.

18. *Mysteries of the People; or, the Story of a Plebeian Family for 2,000 Years.* By Eugene Sue. Translated by Mary L. Booth. New York: Clark, 1867. Octavo, pp. viii., 177.

This is the great work of Eugene Sue, which has been interdicted in France, because of its Republican tendencies. It is, in brief, a history of the French people, from the period when it was engulged in despotism, until, under the Republic, it was supposed to have regained its original and rightful sovereignty; and such a history, told in a series of tales, which would find ready readers everywhere, may well have alarmed Louis Napoleon, when offered in French, and encouraged the able translatress to reproduce it in English.

The part before us is the first, ending with A.D. 10; and it is to be followed by seven other volumes, each similar to this, continuing the narrative until A.D. 1851. We commend it to such of our readers as are interested in the history of France, as well as to those political philosophers who take notice of the Rise and Fall of Nations.

19. *The Democratic Almanac for 1867.* New York: Van Evrie, Horton & Co. Octavo, pp. 80.

A compend, similar in character to the *Evening Journal* and the *Tribune Almanacs*, save in its political complexion. It will be found very useful for reference by every one who desires information concerning the Election Returns, for several years past, the Statistics of the Republic and of the different States, the leading Acts of the Congress of 1865-6, and the Articles of Faith of the present Democratic Party.



**THE MAGAZINES.**—We continue from the November number our notices of some of our contemporaries:

—*The Old Guard*: A Monthly Magazine, devoted to Literature, Science and Art, and the Political Principles of 1776 and 1787. New York: Van Nostrand, Horton & Co. \$3 per year.

This work may be considered the organ of those who are the extremists concerning the non-manhood of the Negro, as well as an earnest and intelligent champion of the doctrines set forth in the Kentucky and Virginia Resolutions of 1797–8. Among its stated contributors are W. Gilmore Simms, John Esten Cooke, and John R. Thompson, Esqrs.; and the fearlessness of the Editor is refreshing in these days of non-committalism, even when we cannot concur in his conclusions; and we have no doubt that it receives, what it deserves, a liberal support at the hands of its friends.

—*The Catholic World*: A Monthly Magazine of General Literature and Science. New York: Lawrence Kehoe. \$5 per year.

This neatly-printed work contains, monthly, original articles from the pens of the best Roman Catholic writers, at home and abroad, as well as the choicest selections from foreign periodicals.

It is ably edited by Father I. T. Hecker, Superior of the Congregation of St. Paul, in New York; and we believe it is intended to introduce into its columns articles illustrative of the history of the Roman Catholic Church in America, a subject in which many of our readers are interested.

—*The New York Medical Journal*. New York: Baillière Brothers. \$5 per year.

This well-known work is about closing its fourth volume, and we take pleasure in inviting the attention of our medical friends to its merits.

—*The New England Historical and Genealogical Register and Antiquarian Journal*. Boston: N. E. Historic-Genealogical Society. \$3 per annum.

This exceedingly valuable quarterly has issued the first part of its Twenty-first volume, under the editorial control of Rev. Elias Nason.

"The design of the work is to gather up and place in a permanent form the scattered and decaying records of the domestic, civil, literary, religious and political life of the people of New England; to rescue from oblivion the illustrious deeds and virtues of our ancestors; to perpetuate their honored names, and to trace out and preserve the genealogy and pedigree of their families."

It is well printed, generally illustrated, and each number invariably contains an original and varied mass of information, historical, archæo-

logical, genealogical and æsthetic, invaluable to the student of history, the man of letters, the lover of his country, and of the honored names of those who founded it.

## 2.—BOOKS WANTED.

*Sermons* before the American Board of Commissioners for Foreign Missions, by Revs. Calvin Chapin, 1815; Joseph Lyman, 1819; Eliphalet Nott, 1820; E. D. Griffin, 1826; John H. Rice, 1828; A. Alexander, 1829; Thomas De Witt, 1830; Wm. Allen, 1832; Thomas McAuley, 1839.

*Portraits*, octavo size, of Rev. Drs. James Richards, Calvin Chapin, Henry Davis, Samuel Spring, Joseph Lyman, Eliphalet Nott, Jedediah Morse, Alexander Proudfit, Jeremiah Day, Samuel Austin, E. D. Griffin, John H. Rice, Archibald Alexander, Thomas De Witt, William Allen, William Murray, Samuel Miller, John McDowell, Heman Humphrey.

*Particulars of the Capture of the ship Olive Branch*. By Ira Allen. In two volumes. Either volume, or both.

*Oracles of Reason*. By Ethan Allen.

Address Rev. Pliny H. White, Coventry, Vt.

## XXII.—CURRENT EVENTS.

**OBITUARY.**—Died, at Willimantic, Conn., on the eighth of December, 1866, WILLIAM L. WEAVER, editor of the *Willimantic Journal*, aged fifty-one years.

To that village, of which he was a native, his death is a serious loss, for few men have, in this generation, done more to maintain beyond its own borders the ancient and honorable reputation of Windham County, or to make Willimantic worthily known abroad.

From boyhood he had been a sufferer from abscesses and the hip-joint disease, which confined him, for many years past, almost entirely to his own house and grounds; yet he was a man of rare fortitude and courage, enduring many bodily ills and domestic afflictions with admirable patience and cheerfulness.

He was a public-spirited man, sparing no word or effort which could benefit his town. Frank, straightforward and courteous by nature, he took decided positions in politics and religion; and though of a modest and kindly disposition, yet, when liberty, temperance or righteousness were likely to suffer by his silence, he spoke fearlessly in their behalf.

It is, however, as a genealogist and local historian that Mr. Weaver has a claim upon the remembrance of our readers. He was an enthusiast in genealogical pursuits, and his memory

was an inexhaustible storehouse of facts, dates, etc., relating to the old families and history of "Old Windham" County. In 1862, he commenced the publication, in the *Willimantic Journal*, of a series of Genealogies of Windham Families, of which the first portion (A to C) was subsequently issued in pamphlet form in 1864. This series, at the time when they were suspended by his death, had reached well into the letter F, and had won for Mr. Weaver an enviable reputation as an industrious and accurate genealogist—indeed, as the highest authority in Windham history. Yet, great as were his labors, he always seemed to undervalue them, and, with rare modesty, even deprecated them in comparison with the labors of others in the same field. Industry, patience and modesty were the prominent traits of his mind; and his life—when we consider the sufferings and afflictions which surrounded him from early boyhood, and the results which he was enabled to accomplish—may not inaptly be termed *heroic*. H.

REMARKABLE HISTORICAL DISCOVERY.—Samuel de Champlain, the noble founder of Canada, was buried at Quebec, two hundred and thirty years ago, and the place of his interment has remained a mystery, though it appears by the records of the time that a tomb was constructed for him in a chapel which was known by his name. This mystery has just been solved by the indefatigable research of two ecclesiastics of Quebec, the Abbés Laverdiere and Casgrain, both of whom are well known as accomplished and able investigators of Canadian history. A most patient and persistent sifting of ancient records brought them to the conclusion that the chapel and tomb must have been in the lower town of Quebec, at a certain point immediately under the precipice on which the upper town is built. Accordingly, they went to the spot in question, and found that the aqueduct, constructed some ten years ago, had apparently destroyed all traces of the supposed tomb, the chapel which contained it having long since disappeared.

Those familiar with Quebec will remember the long stairway which descends from Mountain street to Champlain street. Near the foot of these stairs was the spot which the two archaeologists had been led to believe was the site of the tomb. It only remained to inquire of those engaged in building the aqueduct whether any such remains had been discovered in the progress of the work. They went to Mr. O'Donnell, Assistant Engineer of the Water Works, who had superintended this part of the structure. He replied promptly that an ancient vaulted tomb had been found at the place in question, containing a coffin of human bones, and that he was so much

struck with the character of the discovery that he had included a section of the vault with measurements and other indications concerning it, in one of his plans. This plan he found and produced. He conducted MM. Laverdiere and Casgrain to the place, and showed them what was still to be seen of the old vault, within which a new one, for the purposes of the aqueduct, had been made, nearly obliterating the inscription on the wall, where, however, some of the letters of Champlain's name may still be distinguished.

The bones had been removed immediately after the vault was discovered, and Mr. O'Donnell could not tell what had become of them. It appeared, on further inquiry, that they had been given to the Abbé Langevin, the priest of a neighboring parish, well known in Canada as the author of several antiquarian and historical publications. He had placed them in a box and kept them for some time, but afterwards caused them to be buried, still in the box, in the Roman Catholic Cemetery for unbaptised infants. He directed the spot to be marked, but this it seems was neglected, for when we last heard from Quebec, the box had not yet been found, though an attempt to that end had been made. There can be no doubt that the bones will soon be recovered, and that the remains of the founder of Canada will be honored with a monument worthy of him.—*Boston Transcript*, Dec. 21.

—THE DECENNIAL ANNIVERSARY of the North Dutch Church of Newark, N. J., Rev. C. E. Hart, pastor, was celebrated on the thirtieth ult. Mr. J. P. Bradley read an historical sketch, and Mr. P. S. Duryee read the financial report, which showed the church to be out of debt and in possession of a property valued at one hundred and sixteen thousand five hundred dollars. Among others, Senator Frelinghuysen delivered an address. He referred, in the course of his remarks, to the organization of this church, ten years ago, by a little band whose motives were as pure and disinterested as any which ever existed in this sin-corrupted atmosphere. He dwelt upon the value of a single immortal soul, and said that the benefit of a church was to be calculated by multiplying this value by the number of those saved by all its ministrations.

—THE Concord *Statesman* says that in the one hundred and thirty-six years of the existence of the North Church in that city, there have been but four pastors—Rev. Timothy Walker, who remained nearly fifty-two years; Rev. Israel Evans, seven years; Rev. Asa McFarland, twenty-seven; and Rev. Nathaniel Bouton, D.D., who has just been released, forty-two years.

THE  
HISTORICAL MAGAZINE.

VOL. I. SECOND SERIES.]

FEBRUARY, 1867.

[No. 2

I.—MR. LAURENS IN CONGRESS.\*

IN CONGRESS, *Friday, May 14, 1779.*—After reading the Journal, Mr. M. Smith arose, and in his place informed the House, that he saw printed in a Newspaper, entitled *The Royal Gazette*, published in New York, by James Rivington, a Letter written by Henry Laurens, and directed to Gov. Houston, of Georgia, which contained matter derogatory to the honour of Congress, injurious to the interest of the United States, and tending to destroy that confidence which the States should repose in this body; and, therefore, he moved, as a matter of privilege, that the said Letter be read, and that Mr. Laurens be called on to declare whether he wrote that Letter.

A division being called for by Mr. Duane,

On the question, is the motion of Mr. Smith, for reading the Letter referred to in his information, in order?

The Yeas and Nays being required by Mr. Laurens, it was decided in the negative, by Yeas and Nays.

On the question, is that part of Mr. Smith's motion, "that Mr. Laurens be called on to declare whether he wrote that Letter," in order:

The Yeas and Nays being required by Mr. Laurens, it passed in the Negative, every member present answering No.

*Saturday, May 15, 1779.*—After reading the Journal, Mr. Laurens arose, and, with the leave of the House, read in his place a Paper, which he delivered in, and which being read at the Table, was ordered to be entered on the Journal, and is as follows:

"Mr. President, the motion which was made yesterday, by one of the honourable Delegates from Virginia, for reading a presumed copy of a Letter, said to have been written by me, and printed in the *Garrison* of the enemy, on New-

York Island, and for calling upon me to declare whether I had written such a Letter, appeared to me to be irregular, unprecedented, and full of dangerous consequences, derogatory to the honour and dignity of Congress, and alarming to the free and independent citizens of these United States; thence arose those cautions and admonitions which a sense of duty prompted me to offer to the House, while the subject was under debate, and I rejoice in that wisdom, which was displayed by the House in overruling the attempt.

"Sir, had the gentleman who made the Motion called on me, and in proper terms enquired whether the printed Letter was a copy of an original addressed from me to Gov. Houston, I would have given him all the satisfaction that could have been desired by any man of true honour.

"And now, Sir, as, if I have been guilty of aught criminal, or have inadvertently expressed anything amiss in my correspondence as a private citizen with Mr. Houston, I would rather receive a censure or a reproof from Congress, than be charged with a want of candour, or commit my conduct to the whispers of malice. I take the liberty of informing Congress that I did, on the 27th of August last, write a private Letter to Governour Houston.

"If the House shall judge it proper to determine by a vote that they may of right demand a Copy of that private letter, and shall, in consequence of such vote, call on me, or if Congress shall be pleased by a vote to direct their President in writing to request me to lay before them a copy of that Letter, I will, in either case, produce a genuine and true Copy, reserving to myself, in the meantime the privilege of voting, as I certainly should vote, if I were not a party concerned.

"I confide in the candour of the House to order this address to be entered on the Journal, and if the House shall be pleased to call for, or request a copy of my Letter, I shall expect that will also be entered on the Journal. *May 15, 1779.*"

On the question for entering the above on the

\* We are indebted for this article to our venerable friend, General PETER FORCE, of Washington, D. C.

We are sure our readers will welcome him as heartily as we do, on his re-appearance in THE HISTORICAL MAGAZINE; and the more so, since we have reason to hope that this will be followed, from time to time, with other articles from his well-tried pen.—H. B. D.



Journal, the Yeas and Nays being required by Mr. Laurens, it was resolved in the affirmative; every member present answering *ay*.

Mr. Smith, then moved, seconded by Mr. Penn, "That the sense of the House be expressed, "whether the motion he made yesterday was an "attempt irregular, unprecedented, and full of "dangerous consequences, derogatory to the honour and dignity of Congress, and alarming to the "free and independent citizens of these United "States."

A motion was made by Mr. Burke, seconded by Mr. Griffin, as a substitute to the foregoing, in the words following:

"That by the vote for entering on the Journal "the paper delivered in by Mr. Laurens, Congress did not mean to give any opinion on the "suggestion therein contained, that the motion "made by Mr. Smith was unprecedented and full "of dangerous consequences, derogatory to the "honour and dignity of Congress, and alarming "to the free and independent citizens of these "United States."

On the question, Shall this be received as a substitute?

The Yeas and Nays being required by Mr. Laurens, it was resolved in the affirmative.

On the question to agree to the substitute as a Resolution, Resolved in the affirmative.

[*Copy of a Letter from Henry Laurens, President of the Congress, to Governor Houston, the late Rebel Governor of Georgia, referred to in the foregoing.*

PHILADELPHIA, 27<sup>th</sup> August, 1778.

Dear Sir,

I should not have remained so long in arrear for your Excellency's obliging letter of the 9th June, had I not flattered myself with hopes that long before this day the circumstances of Georgia would have been introduced as a subject demanding the consideration of Congress—but it has happened otherwise; to account for the probable reasons would be extremely unpleasant, and perhaps at this time equally improper; nevertheless it is my duty Sir, as a fellow citizen to suggest to you in that as well as in the character of supreme magistrate of a State, that in my humble opinion we cannot fairly ascribe the dominancy of this and of many other momentous concerns to want of leisure.

I see with grief the return of our troops from East Florida without that success which your Excellency had hoped for; this unhappy circumstance will add to the distresses of Georgia, and increase her cries for relief.

While St. Augustine remains in possession of the enemy, Georgia will be unhappy, and her existence as a free and independent State ren-

dered very doubtful: South Carolina too will be continually galled by rovers and cruizers from that pestiferous nest.—Another expedition must therefore be undertaken at a season of the year which will not outvie the bullets and bayonets of the enemy in the destruction of our men.

I have before me a plan for reducing East Florida, which I will have the honor of communicating to your Excellency very soon. In the mean time I am constrained to say, that unless the several States will keep their representation in Congress filled by men of competent abilities, unshaken integrity, and unremitting diligence, a plan which I very much fear is laid for the subduction of our confederal independence, will by the operations of mask'd enemies be completely executed, so far I mean as relates to all the sea-coast, and possibly to the present generation. Were I to unfold to you Sir, scenes of venality, peculation and fraud which I have discovered, the disclosure would astonish you, nor would you Sir, be less astonished were I by a detail which the occasion would require prove to you that he must be a pitiful rogue, who, when detected, or suspected, meets not with powerful advocates among those who in the present corrupt time ought to exert all their powers in defence and support of these friend-plundered, much injured, and I was almost going to say, sinking, States.—Don't apprehend Sir, that I colour too high, or that any part of these intimations are the effect of rash judgment or despondency: I am warranted to say they are not; my opinion, my sentiments, are supported every day by the declaration of individuals, the difficulty lies in bringing men collectively to attack with vigour a proper object. I have said so much to you Sir, as Governor of a State, not intended for public conversation, which sound policy forbids, and at the same time commands deep thinking from every man appointed a guardian of the fortunes and honor of these orphan States.

Colonel M'Lean who will do me the honour to bear this address to your Excellency, is well acquainted with the present state of our arms.—Copies of two letters from General Sullivan which will accompany this, will show that of his particular and important department as it stood eight days ago—every hour I expect further intelligence: had he been successful and as expeditiously so as his sanguine hopes had marked out, I should have received the important tidings the day before yesterday.

Not a word that has been said or printed respecting Count d'Estaing's and Lord Howe's fleets merits confidence; an engagement and a smart one too there has undoubtedly been, but who was victorious, and what losses each party sustained, are unknown in this city—this fact only, that the British fleet have greatly suffered,

and had carried in no prizes four days ago, is ascertained, and from the following paragraph in General Washington's letter of the 21st there is ground to hope that many of Lord Howe's original shew of ships at Rhode-Island have been detained by his rival, or lost in the late storm.

"By advices from an officer of rank and intelligence who is stationed in view of the sea, I am informed that sixteen ships entered the Hook on the 17th, one having a flag, and that on that and the preceding day a heavy cannonade was heard at sea."

This day's packet may afford your Excellency more intelligence—I will trouble you Sir no farther at present but to repeat that I am with very great regard and esteem, Sir, your Excellency's obedient and humble servant,

HENRY LAURENS.  
(Private.)

His Excellency  
Governor Houston, Georgia.]

*Tuesday, May 18, 1779.*—Mr. Smith arose, and with the leave of the House, read in his place, a paper in answer to the paper delivered in by Mr. Laurens, in which he repeats his request "that Congress will explicitly declare whether it be their opinion that the motion he made on Friday was full of dangerous consequences, derogatory to the honour and dignity of Congress and alarming to the free and independent citizens of these United States; and hopes that Congress having indulged Mr. Laurens with entering his Address upon the Journal, will do him equal justice, and allow him the same indulgence by entering his Address upon the Journal of Congress."

The motion being seconded by Mr. Penn,

On question, Shall Mr. Smith's Address be entered on the Journal?

The Yeas and Nays being required by Mr. Smith,

It passed in the negative. New-Hampshire, Massachusetts, Connecticut, New-Jersey, and Pennsylvania, voted *No*; and New-York, Maryland, Virginia, and North Carolina, voted *Ay*.

Rhode Island and South Carolina were *divided*; and Delaware and Georgia, were *absent*.

[*Mr. Smith's answer to Mr. Laurens, referred to in the foregoing.*

MR. PRESIDENT:

It gives me real concern to find that Mr. Laurens, a Delegate from the State of South Carolina, considered the motion I made on Friday last, as an attempt "irregular, unprecedented and full of dangerous consequences, derogatory to the honour and dignity of Congress, and alarming to the free and independent citizens of these

"United States." I conceive it to be the duty of every member of Congress to receive information, and to communicate it to Congress, of the venality, speculation and fraud of any of its Members, or of other persons employed in the public service. If the information leads to the investigation of Truth, it is worthy of notice, and should be attended to. The contents of the Letter alluded to in the information I gave, the manner in which it was published, and the probability that a Letter directed to the Governor of Georgia, might have fallen into the hands of the enemy, in Georgia; did in my opinion require the attention of Congress and of all the free and independent citizens of these United States since the honour of the one, and the interest of the other, demanded an enquiry concerning the truth of the contents. The publisher, in *this* instance, could not be called upon to justify the publication, either by Congress or Mr. Laurens, because he was not within the line of their power: But Mr. Laurens might have refuted the publication by a bare denial of the authenticity of the Letter, which justice to Congress, and his own honour required if the Letter published was not genuine. In my opinion, therefore, there was no impropriety in the motion for demanding of Mr. Laurens whether he had written the letter of which that publication was said to be a Copy. I am sure the demanding of a *person* whether he was the *author* of a Letter published in a *Newspaper* was not unprecedented even in this House. But Mr. Laurens could not be compelled to give evidence against himself, or even to answer the question. A regard to truth and his own honour, were the only considerations which could oblige him to answer any question. The motion, therefore, could not be "full of dangerous consequences," nor could it be "alarming to the free and independent citizens of these United States," unless Mr. Laurens and the free and independent citizens of these United States should be of opinion that truth and honour ought not to influence the conduct of men. If Mr. Laurens has discovered those scenes of venality, speculation and fraud, which are mentioned in the Letter alluded to, or if he was warranted to say what is therein expressed, he ought *indeed* to have rejoiced that an opportunity was given him to unfold them, and thereby to have been instrumental in bringing to punishment the authors of such mischiefs to the public. But Mr. Laurens has charged me openly in Congress, with having attempted what was "irregular, unprecedented, and full of dangerous consequences—derogatory to the honour and dignity of Congress, and alarming to the free and independent citizens of these United States." And he has said that he rejoices "at the wisdom displayed by Congress in *overruling the attempt*." This charge is contained in



a written paper, which he read in his place and desired might be entered upon the Journal of Congress. It hath been received and is entered upon the Journal by order of Congress.

Without calling upon Congress for that protection against *personal* insult, to which every Member is entitled whilst he is performing his duty in this House, and a consequent reparation of the breach of privilege, I demanded of Congress the justice due to my honour—that the sense of Congress might be expressed, whether the motion I had made was of such a nature as Mr. Laurens had declared, and I thought myself entitled to satisfaction on this point, as Congress had received the *implied* thanks of Mr. Laurens, for the wisdom displayed in overruling the *atempt*.

Congress has not been pleased to answer the question; but hath adopted a Resolution, which, in my opinion, countenances the charge; as it apologises for having admitted the declaration to record, and leaves it in full force against me—a mode of proceeding which, if it shall be conclusive in this case, I fear, will impeach the candour, if not the justice of Congress. I therefore, as well out of regard to the dignity of Congress as to my own honour, repeat my request, that Congress will explicitly declare, whether it be their opinion that the motion which I made, on Friday last, was “full of dangerous consequences—“derogatory to the honour and dignity of Congress, and alarming to the free and independent “citizens of these United States,” and having *indulged* Mr. Laurens with entering his Address upon the Journals of Congress I hope Congress will do me equal justice, and allow me the same indulgence, by entering this Address upon the Journal of Congress.

MERIWETHER SMITH.]

## II.—PETITION TO THE KING, FOR A REDRESS OF GRIEVANCES IN NEW YORK.

*From the original draft, among the family papers of Harry M. Morris, Esqr., of New York.*

TO THE KING'S MOST EXCELLENT MTIE IN COUNCILL.

The Humble Petition and Memoriall of Lewis Morris in behalfe of the Inhabitants of Your Majesties City and Province of New York—

Most humbly Sets forth.

That Your Mties Petitioner Pursuant to the Prayer of the Petition (herewith delivered unto Your Majestie) from Some of the Members of Your Majesties Council, for the Province of New

York, the Aldermen and Common Councill and many of the most Considerable inhabitants of the City of New York from the Countie of Queenes Countie from the County of Ulster & from the City of Albany Humbly begs leave to lay before your Majestie the State and Condition of that Your City and Province with Respect to the Administration of the Government there by his Excellency William Cosby Esq<sup>r</sup> Your Mties Govern<sup>r</sup> of that Province.

The Inhabitants of that Your Majesties Province have Severall times by their Representatives in Generall Assembly Endeavour'd to get a Law pass'd to Name, Appoint, and pay, Such person as they the Said Generall Assembly (Exclusive of the Said Govern<sup>r</sup> and Your Majesties Council there) Should think fit to name and Appoint to be their Agent at Your Majesties court of great Britain from time to time to make their wants and desires known unto Your Majestie: but bills pass'd by them for that Purpose have by the Governours influence upon your Majesties Council there (the Members of w<sup>ch</sup> the said Governour has the power of Suspending) been deny'd the Assent of the Said Council and by that meanes hindered from Passing into Laws.

Your Majesties Memorialist and Petitioner begs leave to informe Your Majestie that the gen<sup>l</sup> Assembly of that Province believing A bill which they Conceived So reasonable in its Selfe would meet with no Obstruction did by Letters desire Samuel Baker Roderigo Pachego George Stratfield Richard Janeway Joseph Low & Samuel Stork Merchants of this Your city of London trading to those parts to recomment to the Said generall Assembly Some person here whom they Judg'd capable for such an employ to be their Agent the purport of w<sup>ch</sup> letter being known to Coll<sup>o</sup> Cosby Your Majesties Governour there he wrote to the Said Merchants informing them that if they Reccomended to the Said General Assembly any other person than one whom he (the Said Governour) had named and Appointed to be the Agent for the Said Collony Such Other person so named and recommended by them Should Receive no money or Reward for his Services; nor be Repaid the Expenses he was at during his the Said Cosby's continuance in the Government of New York; or words to that effect. This may fully and clearly Appeare by the Examination of the Said Merchants should there be any doubt concerning the truth of what is herein Related.

Your Majesties Subjects inhabitants of the Province of New York do conceive that by Virtue of Your Majesties high and Kingly office and the Relation they Stand in of being your Subjects they have A right in Common with others of your Majesties Subjects to Apply to Your Majesty the fountain of Justice and head of



your people in any case where they or any of them think themselves Agrieved either in their own Proper persons or (where that is impracticable) by Such Agent and Such only on whose fidelity they can most confide & that the using any Endeavours under pretext of power or otherwise (except those of rectifying the mistakes intended to be complained of) to prevent Such complaints from coming to Your Majesties Eares is not only greatly injurious to your Subjects but highly affrontive to Your Majesty as tending to create an Opinion in Your Subjects derogatory from Your Majesties innate Goodness and known love of Justice.

As Your Majesties Subjects in that Province could have no other motive or end in Appointing an Agent in England but to lay before Your Majesty and your Ministers of State Such Accounts of men and things there as they Should Judge Necessary for Your Majesties information And Service and for the publick utility of that Province So it is conceiv'd that his Excellency or the governours for the time being could have no other End or View in Obstructing a bill of that kind than to prevent as much as they could your Majesties Recieving any other knowledge or information of things at so great distance than Such as they thought fit to transmit in Such manner as they Judg'd most conducive to promote their own private Views & to Prevent their conduct from being made known to Your Majesty.

This being (as is conceiv'd) both inconsistent with Your Majesties Service and such an Agent A great (if not Necessary) check upon Governours And A means to prevent them from doing of things lyable to be complained of; or, (if hardly Enough (as they too often are) to do such things) to give your Majesties Subjects there an Opportunity of having Recourse to Your Majesty for Such Relief as Your Majestie in Your Royall wisdom Justice and Goodnesse should Judge most Suitable for them. Your Majesties Petitioner therefore most Humbly prays that Your Majesty would be graciously pleas'd to Order Your Governour of New York to Assent to A bill or bills to be passed to Enable the Generall Assembly of that Your Province of New York to Nominate & Appoint without the Consent or Approbation of the Governour & councill or Either of them Such person or persons as they Shall think proper to be their Agent or Agents at Y<sup>r</sup> Mties Court of Great Britain to lay from time to time before Your Majestie Such state & condition of Your Majesties Province & the inhabitants thereof as the Said generall assembly Shall Judge necessary for your Majesties Service & most Conducive to the benefit of Your Subjects there.

Your Majesties Memorialist & Petitioner begs

leave to Suggest that an Act of that kind being by the constitution of that Government probationary until it has Reciev'd your Majesties Royall Assent (Should it contain Matter improper for such assent) it may by your Majesty be either rejected or (as the case may be) your Majesties Assent Suspended until an Act be formed in Such manner as Your Majesty shall Judge most Suitable for your Service & most conducive to promote the good Ends and purposes that should be intended by it.

Your Majesties Memorialist and Petitioner begs leave farther to Suggest to Your Mtie that your Governour there being Oblig'd by your Majesties instructions to him to transmit from time to time to one of Your Majesties Principall Secretaries of State & to the Right hon<sup>ble</sup> the Lords commissioners for Trade and Plantations the State and condition of y<sup>r</sup> Your Majesties Province the Appointing Such Agent as it cannot hinder the Governr from the performance of his duty in Every Respect in Sending over Such Accounts as are Required of him & as he thinks proper to give, So such Agent Seemes to make it necessary for the Governour to deem no Accounts proper to be transmitted but what are true, & to conceale nothing that is so, least A discovery Should be made: by w<sup>ch</sup> meanes there is great likelihood that your Majestie will not only be inform'd of the truth but the whole truth of any transaction there.

By the Constitution of that Government the Legislature consists of three parts Viz. Your Mties Governour who Represents your Royall person, twelve councillors Named and Appointed by your Majestie resembling y<sup>e</sup> House of Lords, & the Generall Assembly or house of Representatives chosen by the Inhabitants. & Any bill Agreed to by the Councill and General Assembly and afterwards Assented to by the Governour obtains the force of A Law until disallowd of by your Majestie here: and that no Law may be Enacted Destructive of Your Majesties Prerogative, or of the trade and commerce of Great Britain, Your Mtie, has been graciously pleased to give your Governour A negative Voice in the passing of all Laws: w<sup>ch</sup> negative Voice given by Your Majestie to the Governour has been there formerly understood & as your Memorialist & petitioner has been inform'd is still understood in Your Majesties other Plantations to give the Governour only A power to Assent or dissent to any bill Agreed to by both the other branches of the Legislature & not otherwise & by that Assent Enact such bill into A law or by such dissent wholly to reject the Same for that time but not A power to Sit and Act with the Councill as A Councill<sup>r</sup> & vote as Such in the Passing of bills prepare them for his own Assent, or to prevent them from being prepared for his dissent

and afterwards as Governour to Assent or dissent unto Such bills—but may it Please your Majesty to be inform'd that both Coll<sup>o</sup> Cosby your Present Governour & the other Governours of that Province for Some time pass'd have allwayes Sat in that Branch of the legislature consisting of the councill during the time of their Preparing of bills and Acted and Voted as councillors in the passing of them for the governours assent and afterwards as Governours have Assented to those bills w<sup>ch</sup> it cannot appeare by the Minutes of Council but y<sup>t</sup> their own Casting Vote as councillors made to be so.

This conduct of Your Majesties Governours in A manner excludes the Councill from any share of legislation, & renders that branch of the legislature uselesse, if not contemptible; takes from y<sup>r</sup> that weight and influence, w<sup>ch</sup> your Majesties Seemes to intend they should have by making them Apart of the Legislature; and (as Such) A check both upon the Governour & generall assembly (an independance in their legislative Capacity highly necessary as is conceived for your Majesties Service) may Render all Laws So made disputable; as being made only by two parts of the Legislature to wit the Governour and generall assembly; gives too much room for A clandestine correspondance between the Governours and assemblies to pass acts in Consideration of rewards given to the govern<sup>rs</sup> (by Votes of Assembly only as is usuall) prejudicial to the British Trade and which may have in Some cases their Effects tho' they Should be afterwards disallowed of by Your Majesty. An instance of this is the Striking and issuing paper bills of credit to pass instead of money w<sup>ch</sup> when done Renders Such disallowance inconvenient and may be attended with consequences prejudicial to the publick credit, for the Reasons herein Set forth Your Majesties Memorialist & Petitioner humbly Prays that Your Majesty would be graciously pleas'd to direct and Order that Your Councill for that Province do in Preparing bills Sit and Act by themselves As A distinct part of the legislature & that the Governours for the time being be not admitted on Any pretence whatsoever either to Sit or Vote among them in Preparing or passing any bills to which afterwards he is to Assent or dissent by Vertue of the negative Voice Reserved to him by Your Majesty: and that under Such penalties (to be Strictly Exacted) as your Majesty in your great wisdom will think most Suitable to deterre & prevent them from doing so.

Your Majesties Memorialist & Petitioner begs leave farther to informe Your Majesty that for the Calling and Electing of the Generall Assembly of that Province writs are issued in Your Maties Name Sealed with the Seale of that Province & tested by the Governours for the time being: but, Sometimes before they have met and

allwaies after they have met by Virtue of your Majesties legall writs, the Said Generall Assembly have been farther prorogued or adjourned from time to time not by your Majesties legall writs but by Proclamations in the Name of the Governour and under his Private Seale at Armes, without any meeting of the Assembly or any Quorum of them at the time of Such Adjournment or Prorogation: and tho the Said Assembly might Perhaps be prorogued antecedent to their meeting by Virtue of your Majesties writs Issuing in Your Majesties name under Y<sup>e</sup> Seale of that Province yet it is doubtfull whether the Said assembly can b: So prorogued before their Meeting or Adjourned afterwards w<sup>out</sup> meeting by Virtue of Proclamations in the name of the Governour & under his private Seale at Arms; that being an authority (if any) much less than Your Majesties Royall writs under the great Seale of that your Province by which the Said Assembly is called together & seemes to inferre that no Such assembly So prorogued or Adjourned by the Governour in his own name under his own private Seale at Arms can legally Exist or be in being and consequently A nullity of all Laws pretended to be Enacted by them. Seems to be greatly derogatory from your Majesties Just & legall authority and introductory of Consequences dangerous to the publick peace. Your Majesties Memorialist & Petitioner doth therefore humbly pray that if Your Matie Shall by your Most honourable Councill be advis'd that Such Adjournment or prorogation under the Governours Private Seale is unwarrantable and Contrary to Law: that Your Matie in Order to prevent those disputes that may otherwise Possibly happen will Graciously be pleas'd to Order that the Present Generall Assembly w<sup>ch</sup> Subsists only by Virtue of such Adjournments & prorogations as aforesaid in the Governours name and under his private Seale be as soon as may be dissolved & a new one elected by Virtue of Your Majesties writs And that for the future the Governours of N York for the time being be directed not to call adjourn or prorogue any generall Assembly but in Your Majesties Name and under the Seale of that Your Majesties Province.

Your Majesty has been pleased to direct in your Instructions to your Govern<sup>r</sup> of New York that no publick money Shall be disposed of but by A Warrant under the Governours hand by ADVICE and CONSENT of COUNCILL but that the Assembly might View and examine the Accounts of money disposed of by virtue of Laws made by them. This instruction Seemes to Lodge the power of direction of the disposall of the publick money in your Majesties councill both with respect to the Quantity or Summs disposed of, the Services for which & the persons to whom it is given; & without their ADVICE and Consent pre-



viously had not to be disposed of by the Governour: this mak:s the persons your majestie has been pleas'd to intrust with the administration of the Government, the Sole Judges of the Merrits of the Officers of the Government; and of w<sup>t</sup> rewards are Suitable to be paid for their Services; & renders those officers dependant on that government; as in the nature of things they ought to be: but of late the generall Assembly of that Province Conceiving that as they gave the money they had A right of disposing of it as they thought Proper & were the most competent Judges of the merrits of the Sev: rall officers of the government finding the Governours for the time being would not consent to any Act whereby the Summs rais'd by them Should be appropriated to particular uses & for paying the Sallaries of the officers in Such manner as they thought fit took upon themselves to direct Such disposition by the Votes and Resolves of their house curtailing and altering Some Salaries & wholly abating others as they thought Most convenient & in Some cases where money arising by duty or impost on Negroes has been disposed of by Particular Acts and Raised & paid into the hands of the proper officer appointed to recieve the Same for & towards the Support of the Government they hav: by the Vot:s and Resolv:s of their house orderd the Same to be refunded & it has been refunded by the officer in Obedience to their Votes without any Act made for that Purpose or without addressing the Governour and Council in whose power it only was to remit that Sum or part of it.

The Governours of that your Majesties Province in Order to ingratiate themselves w<sup>th</sup> the Assembly and promote their own private Views have for the most part governed themselves in drawing warrants for the disposition of the publick money pursuant to these Resolves of the Assembly: and whereas Your Majesties Instructions w<sup>th</sup> Makes y<sup>e</sup> Advice of y<sup>e</sup> Council as well as their Consent Necessary in the disposition of the publick moneys presupposes at least that in Any new Case Such as the increasing or Abating any of the Salaries of the officers of the Government the Said Council Should be consulted and Advised w<sup>th</sup> whether Such Reduction or Augmentation of Salary in compliance w<sup>th</sup> the Votes & resolves of an Assembly be necessary, fit, or convenient, for your Majesties Service, or the Support and maintenance of your Just Prerogatives Antecedent to the drawing any warrant in Compliance w<sup>th</sup> the Said Resolves or Votes but, instead of that The Said Governours to Evade and Elude the force of that your Majesties wise instruction cause warrants Ready drawn to be brought into Council Summond perhaps for y<sup>r</sup> Purpose of suitable members and being hastily read asks whether Such warrant Shall be Sign'd

to which (it appearing to them to be y<sup>e</sup> governours intention & y<sup>e</sup> the clerk durst not draw Such warrants without his Speciall direction) no body being bold enough to object; Such warrants are Signed accordingly; and this is called the Consent of the Council: tho the Subject matter of them was never Submitted to their debate, nor their advice asked: which Should have been done (by what Seemes the genuine meaning of Your Majesties instructions) antecedent to the drawing of any Such Warrant.

This Compliance of the Governours as your Majesties Memorialist and Petitioner conceives deprives the Council of that necessary authority your Majestie has been pleas'd to give them Renders all the officers of the Government (even the Gouvernour himselfe) Almost solely dependant upon the Assembly who by this compliance are Encouraged in the use of a Power to dispencc by their Votes w<sup>th</sup> the Acts of the whole Legislature is greatly destructive of Your Majesties Royall and Just Prerogatives & tends to abate their dependance on the British Crown. Your Majesties Memorialist dos therefore humbly Submit it to Your Majestie whether it may not be for Your Majesties Service that in case of any Such resolv:s for abating or augmenting any of the Salaries of the Officers of Your Majesties government there, or for any alteration in the usuall disposition of your Majesties Revenue there, or for any new and unusual warrant to be drawn on Your Majesties Reciev-r Generall or the treasurer of that Collony that the Governour [be] in Verry expresse Termes Prohibited from drawing any such Warrant untill the matter be fully debated in Your Majesties Council there in full Council & the Advice of the Majority of that Council be given with the reasons for the doing of it to be entred in the Council book: of that Province. & that Particular no warrant be drawn Pursuant to any Resolve of the Assembly for A gift or Present to the Governour untill an Account of y<sup>e</sup> Same Shall be transmitted to Your Majestie in Your most hon<sup>ble</sup> privy Council & your Majesties leave and lycence for drawing the Said Warrant be given under Your Majesties Signet & Signe Manuall to be produced to your Majesties Council for the Province of New York & Entred in the council book:s there.

Your Matie for y<sup>e</sup> Prevention of the Severall inconveniences that had been observ'd to have arisen to the Governments in the Plantations by gifts and Presents made to Your Majesties Governours by the generall assembly, was pleased in Your instructions to Your governour of New York to declare it to be Your Expresse will and pleasure that neither the Said Governour or any Governour Lieutenant Governour or any Commander in Chief or President of the Council of



the Province of New York Should Give his or their Consent to the passing of any Act or Law for any present to be made to him or them by the Assembly & your Majestie was farther Pleased to declare order and command in Verry Expresse termes that neither he Your Governour nor they the lieutenant Governour President &c Should Recieve any GIFT or Present from the Assembly OR OTHERS ON ANY ACCOUNT OR IN ANY MANNER WHATSOEVER upon pain of your Majesties HIGHEST DISPLEASURE and of being RECALLED from that Your Government.

And that Your Majesties Royall will and pleasure in this matter might be made known to the inhabitants of that Your Government Your Majestie was pleas'd to direct & REQUIRE that the declaration of it in the foregoing Articles Should by Your Governour be communicated to the Assembly at their first meeting after his arrivall in that Province and entred in the Register of the Councill and Assembly that all persons whom it might concerne might govern themselves accordingly.

Your Majesties Memorialist & Petitioner humbly begs leave to informe your Majestie y<sup>e</sup> his Excellency Collo William Cosby your Majesties Present governour over Your Majesties Province of New Yorke & new Jersie did not only not communicate your Majesties beforementioned instructions or directions to the genll assembly at their first meeting after his Arivall or at any time after nor cause them to be entred in the Register of the Councill and Assembly as he was by your Majestie Strictly Commanded to do w<sup>ch</sup> made it doubtfull to y<sup>e</sup> said Generall assembly and the rest of your Majesties Subjects inhabiting that your Majesties province of New York whether he had any Such instruction or not: but depending as is suppos'd on the great interest and power of his friends & believing he might disobey that or any other of your Majesties instructions or commands with impunity he the Said Govern<sup>r</sup> Cosby did (not in the least Regarding your Majesties Commands to the contrary) take from the Said Generall assembly of New York the sum of one thousand pounds money of that Province on pretence that he and (by his meanes) his noble Relations (as he made the Said assembly believe) had prevented the bill made in favour of the Sugar Collonies from passing into a law whereas in truth before the time of making the Said present the Said bill had Recieved your Majesties Royall assent and had pass'd into a Law.

Your Majesties Memorialist and Petitioner begs leave farther to inform your Majestie y<sup>e</sup> the Resolve or Vote of the Generall Assembly made y<sup>e</sup> 7<sup>th</sup> of October 1732 by which this present was made directed that a warrant or warrants Should issue in Councill for the Sun of 1000

pounds payable to his Excellency out of the first money that might Arise by Virtue of an Act in the Said resolve mentioned and was A giving & disposing of the Said Sum of one thousand pound not only by the Vote of the generall assembly (which is but one part of the legislature) but ordered to be paid out of moneys Raisd by vertue of an Act of the whole Legislature and by them Appropriated as A fund to be apply'd to the sinking of the bills of credit made current in that collony and & given to your Majestie for the Support of Your government there: which (as your Mties memorialist concieves) was in the Said Assembly A taking upon themselves by their Votes or Resolves to direct what warrents Should be drawn in Councill, and a power to dispenche with an Act of the whole legislature & to make A disposition of the monies arising by it to Other uses and Purposes y<sup>e</sup> in and by the Said Act was exprss'd meant and intended.

The Said Generall Assembly by their Vote & resolve directing the said warrant should passe in Councill made it with A proviso that such Warrant or warrants Should not Issue untill the bills of credit mentioned in the Act refer'd to Should be sunk & destroy'd: but Your Majest-Governor Wm Cosby Esq<sup>r</sup> did not only Recieve from the Said Assembly the said Gift or present of one thousand pounds contrary to your majesties instructions Strictly forbiding the same in cleare and exprsse termes under the penalty of Your majesties highest displeasure and of being RECALLED from that your Government and by drawing Such Warrant so resolved or Voted to be done as afforesaid Encourage & confirme the Said Assembly in the Exercise of Such a dispensing power; but the Said Sum of one thousand pounds was taken and reciev'd by the Said Governour Cosby contrary to even the directions in the Said Resolve, and he drew A warrant for the Said Money And reciev'd it before the bills mentioend were Sunk; and was paid it out of the money Rais'd to Sink and destroy them: and by Such Misapplication prevented the Said bills from being call'd in and destroy'd: So that they Still remain uncalled in; and pass in payment tho the time limited for their currency Expired so long since as y<sup>e</sup> 1<sup>st</sup> of December 1733: and there is no fund to Sink and destroy them. this as your Majesties memorialist concieves, is, and will be of dangerous consequence to the trade, and publick credit of that your majesties Province: and as the taking of such gift or present was in itselfe pernicious, and A direct breache, both of the Expresse letter, and plain meaning of your Majesties instruction to him; Your Majesties Petitioner therefore humbly prays that your Majestie will be graciously pleas'd to Recall the Said Governour from that your Government (that being the penalty Expressly annexed by your

Majestie, to the breache of your Royall instruction in that case) and inflict Such other marks of your displeasure for such A conduct, as your Majestie in Your Great Wisdome Shall think most Proper to prevent any future Governour from doing the like.

Collonel Cosby your Majesties Governour of New Yorke gave great uneasyness to Your Subjects there by Permitting [a] french Sloop from Louisbourg a new Settle<sup>m</sup> under the Dominion of the french King to trade in N[ew] York and too easily giving credit to A letter Said to be wrote to him by the french [Go]vernour pretending A great Scarcity & want of provisions in that Place; when it Appeard by the Confessions and affidavits of Some of the Mariners on board of the Said Sloop, that there was no Such necessity but on the contrary Rather a great plenty there having been but little before they left that place three Vessells laden with provisions there, and two more going into the harbour when they came Away and more dayly expected. That there was on board the Said Sloop besides the ordinary company that belonged to her Severall officers and Soldiers an Engineer & Sup<sup>n</sup>umerary Pilots in the pay of the french King. That they had curiously taken all the depths, Shouldings, Courses, landmarks, makings and Views of land from ten leagues distance at Sea unto the City of New York and platted or mark'd them down on A map or chart they had for that purpose. their being permitted freely to walk the Streets and enter and View without Controll the fort and other places then & still in A ruinous & defenceless condition (a liberty never indulg'd the Subjects of your Majesty by the french in any of their Settlements in North America) and afterwards Suffered to returne back Some of the officers by land to Canada & the others in the Sloop thro the Sound the other way of accesse to the Port of New York, where, it is not to be doubted they were Equally curious in making of proper discoveries: And their having left with the Governour considerable presents in wine, brandy and Oyle, Render'd the Governours Conduct in this case very much Suspected by the inhabitants who could not be easily induced to believe that the Governour could be ignorant (without blame) of what was known to most of the inhabit<sup>ts</sup> or that the french King would be at the expence of Engin<sup>ers</sup> Soldi<sup>ers</sup> & Super-numerary pilots to purchase provisions (had there been any want of th<sup>em</sup> which th<sup>ere</sup> was not) but that they were Sent for those purposes m<sup>ost</sup> suitable to their Employments which they had so well perform'd. — how far this Conduct of the governours was blameable is humbly Submitted to Your Majesty but the knowledge the french had acquired on this Occasion filled y<sup>e</sup> inhabitants with terrible Apprehensions of

the dangerous consequences of it and gave rise to an Act Since pass'd for the fortifying the City of New York Entitled an Act to Strike and make Currant bills of Credit to the Vallue of £12000 on the fonds and for the uses therein mentioned.

Tho all agreed to the necessity of fortifying the city of New York yet there being no Engineer upon the Spot nor any person suppos'd to be sufficiently Skill'd in the Erecting of fortifications; the Assembly did not so generally agree, either in the plans or drafts layd before them, or in the places proposed to Erect them on. Many thinking the Schemes Proposed were calculated for the benefit of Private persons who had Lands lying Adjacent to them & unsuitable both with regard to their forms and Scituation to Answer the ends proposed. So that many matters relating to the Above bill in the manner it is now pass'd were carried but by A bare majority the Rest seeming to be indifferent whether it was pass'd or not: but the Governour, whose conduct with Relation to the french Sloop, and taking the guift or present above mentioned contrary to the intent of the givers out of the fond appropriated to Sink their Publick bills of credit which now pass without any fond to Support them; and with Relation to other matters in the Sequell of this to be layd before your Majesty, having procured to himself almost the Universall dislike of your Majesties Subjects inhabiting those parts, had often Recourse to the common methods made use of by Governours of getting Addresses made to y<sup>m</sup>selves (which for the most part are fill'd with undeserv'd panegyriks on their conduct and transmitted hither in order to decieve their Superiors) and made the passing of this Verry bill (in A most extraordinary manner) a pretext for his procuring Such an addresse from the generall Assembly of that Province; and it is believed was the true Reason which induced Him to pass it. for, after the bill had pass'd the house and was Sent up to the Councill then consisting of five members & w<sup>ch</sup> five are generally Summoned and others of the Councill (tho in town) omitted, he comunicated to them your Majesties 17<sup>th</sup> instruction by w<sup>ch</sup> the Governour is Expressly Comanded not to give his Assent to any Act whereby bills of credit may be issued in lieu of money without A clause to be incerted in Such Act declaring the Same Shall not take Effect untill the Said Act Shall be approv'd of by your Majestie &c.—The Hon<sup>ble</sup> councill instead of Adding that clause to the bill then before them (as they might, And on that Occasion was most naturall and fit for them to have done) Sent to the Assembly to let them know that they had Appointed A committee to meet A committee of the Assembly to consider of A Joint Addresse to be made by them to the Governour to desire him to passe



the bill, it appearing to them to be against Your majesties 17<sup>th</sup> instruction communicated by the Governour unto them and therefore could not advise him to pass it UNLESS the immediate use & necessity of it was Set forth and Shewn to him in A more particular manner.—this being also Desired by the Governour himselfe in A message from him by the Speaker the Address desired was with much ado Obtain'd by Surprise at the close of the Session (an agreement then Subsisting Amongst them Not to admit of any new motion of an extraordinary nature) when some of the members were departed to their homes not in the least Suspecting any Such matt'r and was Carried by the Votes of thirteen members (the halfe of twenty Six of which that Assembly Consists) who at that time by Reason of the Absentees became the majority; the rest objecting to it as a thing never before done and of ill consequence and urging that the bill itselfe being pass'd by them Sufficiently Shewd their desire of having it pass'd by the other branches of y<sup>e</sup> legislature and the Reasons for doing of it and was all the Address that was needfull or fit for them to Make. but they being out voted the Address desired was presented and the governour on Receiving it thank'd them for (what he call'd) the Justice they had done him; & told them he would give his Assent to the bill notwithstanding it was Against Your Mties 17<sup>th</sup> Instruction. and did afterwards give his assent to it contrary to your majesties Instruction And Such Assent acknowledg'd both by himselfe and the hon<sup>ble</sup> councill to be so; and by Such assent and his taking the before mention'd guift or present contrary to Another of your Majesties Instructions expressly forbidding the Same, has created in the minds of your Subjects there an Opinion that notwithstanding your Majesties instructions in the most Strong and Expresse termes Commanding or forbidding any thing there is a discretionary power lodg'd in the Governour to comply with them or not as he shall Judge fit.

As in all cases of issuing bills of credit in lieu of money in New York, Your Majestie by prohibiting your governour to assent to any bill for that purpose unless with the additionall clause before mentioned did reserve to Your Selfe the judging and determining whether y<sup>e</sup> Reasons or Suppos'd necessity were Sufficient and Such as ought to induce your Majestie to permit them to issue; So in the present case, the Clause directed by your Majestie might have been incerted; and your Majesties Approbation (had you Judg'd it proper to have given it) might have been had and timely Enough transmitted to have answered all the good purposes Supposed to be intended by the Said bill.

Your Majesties Memorialist Begg leave to Suggest that the issuing of paper bills in lieu of

money having prov'd Very inconvenient and destructive of the trade of most or all of the Plantations where they have been Admitted to be currant if Governours are permitted to dispence with your Majesties instructions with impunity there never will be wanting Specious Pretexts for the Making of Such bills unless some way be found to prevent it more Effectuall than any hitherto Attempted has as yet Prov'd.

The discovery made by the french Sloop above mentioned into the port of N York and the weak and defenceless condition of that City of w<sup>ch</sup> the french when on the Spot were imprudent enough to boast with what Ease it might be destroy'd, Justly alarmed the inhabitants and put them upon enquiries into the State & condition of the foure independant Companies then in that Province by whose assistance they hoped a tollerable defence might be made against any Sudden attack but upon Enquiry it was discovered by the Oath of Hugh Monro one of the lieutenants of the Said companies (ready to be layd before Your Majestie when You will please to call for the Same) that instead of one hundred men in each of these independant companies there was not forty; & these for the greatest part Roman Catholicks and transported convicts, made uneasie by being poorly and ill cloathed, [and] the Coll<sup>r</sup> Cosby Receives about £1300 Sterling for the Yearly cloathing of those companies that he g<sup>ives</sup> the[m] only about one hundred and Sixty blue duffals coates or Surtouts (of the Vallue of about f[ ] y Pounds New York currency being about 40 Such coates to a Company for one Yeares cloathing; That for one other Years cloat[ing] he gave them about the like number of Red coats both bad in their kind also old & moth eaten; that he had heard that the Captains had Signed Reciets to the Captaines\* for two full mountings of cloathing but that he is well assured that no more Cloathing was then Really delivered than what is above mentioned; w<sup>ch</sup> he says is not neare the halfe of one Mounting. That before the time of his taking the affidavit w<sup>ch</sup> was on the 13<sup>th</sup> day of december 1733 there had been but one muster w<sup>ch</sup> was made in the month the Governour ariv'd Viz August 1732 but that notwithstanding there were no other musters made Muster Rolls Sign'd w<sup>th</sup> the name of Francis Harrison (one of your Majesties councill there) have been offered to the Said Monro to Signe w<sup>ch</sup> he Refus'd to do, he not knowing of any Reall muster made to warrant his doing so.

Your Majesties Memorialist has long known this lieutenant Monro and believes him to be an honest man, heard him affirm the sevrall par-

\* Thus in the original Manuscript; but evidently a clerical error.—Ed. HIST. MAG.



ticulars Above and Saw him make Oath to them he has since that time been Confin'd by Coll<sup>o</sup> Cosby to his house in which he Remain'd A long time A prisoner, and (as your Memorialist Believes) doth Still so Remain on pretence of his having Refus'd Obedience to the Governours Orders, commanding him to Oswego, a frontier garrison on the lakes about four hundred miles distant from New York at that time not his turne to go to; and, by reason of his age, infirmities, & ill state of health, incapable of Performing so long a Journy, great part of w<sup>h</sup> *is through an* uninhabited Wilderness: whereas the true Reason of confining that Old and hon<sup>orable man is</sup> believ'd to be owing to the discovery he had made of the ill cond<sup>ition</sup> and] ill usage of your Majesties troops in that Province: of w<sup>h</sup> your Majestie may be fully inform'd; would you graciously please to direct Enquiries to be made on the Spot, when Coll<sup>o</sup> Cosby Your Governour there, is depriv'd of that influence his power whils't he possesses it will naturally have to conceal it: Your Majesties Memorialist humbly begs leave farther to Suggest, that while the Governours of that Province have any thing to do with the payment and Cloathing of those troops, there is little Reason to hope that Your Soldiers there will be Justly dealt with, or prove of that use and defence to the Province as Your Majestie Graciously intended they Should be.

Your Majestie and Your Royall Predecessors have been Graciously Pleased by the Generall tenor of Your instructions to your Governours to make the laws of England the Standard rule and Measure by which your Subjects inhabiting the Province of New York should be Governed as nearly as the Circumstances of dominions So distant would admit And as courts and offices of Judicature are the channells through w<sup>h</sup> those laws Should flow & the benefit of them be communicated to your Mts Subjects Your Govern<sup>rs</sup> have been by Such instructions directed or commanded not to Erect any court or Office of Judicature not before Erect'd nor to dissolve any already Erected or Established w<sup>h</sup>out Your Majesties especiall order for that Purpose. This has been construed by some Governours to imply A power solely lodged in themselves to Erect or dissolve courts at their pleasure but that they were Restrain'd in the use of that Power to previous Especiall orders from ye Crown for that Purpose & had they kept themselves within the limits of those directions (had they been Really Vested with Such a power) there had been little Reason of Complaint. But the Laws of England being generally understood to be in the main the Scheme and pattern by w<sup>h</sup> the Plantations in America Should be Governed and the Earliest Governours and Governed both deeming that

courts of Generall Jurisdiction Especially courts of Equity were agreeable to those Laws (as the interpretation of them had been long settled) only to be settled and Established by the Govern<sup>r</sup> by Acts of the whole Legislature (in whatsoever forme that legislature Existed) And not by the Govern<sup>r</sup> Solely or any one or more distinct part or parts of it exclusively of the Rest Coll<sup>o</sup> Dongan (afterwards Earle of Lymerick) when Govern<sup>r</sup> of New York under the Duke of York (afterwards King James the Second) did, in the yeare 1683 by Act of the whole Legislature Erect, Settle, and Establish the severall courts of y<sup>e</sup> Province and by the Said Act A court of Chancery was Erected to determine all matters of Equity & to consist of the Governour & councill (but not of the Govern<sup>r</sup> Solely as hath been lately practised) & by the Said Act the Governour was impowred to make and Constitute A chancell<sup>r</sup> in his Stead to be Assisted with Such other Councill<sup>r</sup> as he Should think fit and Convenient. this was a perpetual Act & remains Still unrepealed by any Act of Parliament or Act of the Legislature or by any other legall way known to the people there and the Said Govern<sup>r</sup> Dongan did afterwards in the following Year 1684 by Act of the Legislature Dissolve and take Away A court of Generall Jurisdiction both in Law and equity then existing known by the name of the generall Court of Assises & this method of settling or altering of Courts by Acts of the whole legislature continued to be put in use by temporary Acts till some time in y<sup>e</sup> Yeare 1698 or 1699 when the last of those temporary Acts being suffred to Exire by its owne limitation the Earle of Bello-mont then Governour of that Province conceiving that the power of Erecting courts was solely lodged in the Governour and Councill he took upon himselfe to Establish them by an Ordinance in Councill: but as he kept pretty nigh to the Same methods that had been directed by the Acts of Assembly and did not meddle with the Court of Equity or Chancery but Suffred it to continue upon its Antient footing, his Settlement of the Courts in that manner Seem'd rather A necessary provision for the Administration of Justice than any innovation and for that reason gave no great uneasiness to the inhabitants: but when the Administration of that Government came into the hands of the Lord Cornbury (afterward Earle of Clarendon) in the beginning of the reign of Queen Anne tho' at first he followed the method us'd by his Predecessor M<sup>r</sup> Nanfan Lieutenant Govern<sup>r</sup> of that Province and took to his Assistance in the Court of Chancery Such of the Councill as he Judged most Suitable for his Purpose and with them made decrees and they Jointly Sign'd them yet in a little time finding the men even chosen by himselfe would not go all the

lengths Required and decree as he would have them but contrary to his Opinion he insisted that the councill had no Judiciall authority to decree at all, but were ministeriall and only named to give him their Opinion and Advice in the case w<sup>ch</sup> he might take or Refuse as he Judg'd best & accordingly gave decrees against the Majority or all their Opinions w<sup>thout</sup> any Regard had to them & Sign'd them himselfe on pretence of his being Sole Chancell<sup>r</sup> Exclusive of the Councill. He had before or about that time by proclamation or Act of Councill Suspended the Court of Chancery & after that by An Ordinance in Councill declared that Suspension Void & either by that or another ordinance in Councill Erected A court of Chancery & lodged the Sole power of Judging in the Govern<sup>r</sup> Exclusive of the Councill. This proceeding gave the utmost uneasyness to the inhabitants who conceived that the Governour Singly or Governour and Councill Jointly taking upon him or themselves to Erect or alter Courts of Equity Exclusive of the Assembly & Evn Contrary to A known Act of the whole legislature then in force was the taking upon him or themselves A power to Repeale by an Ordinance in Councill an Act of the whole Legislature which was neither Warranted by the Royall instructions nor Consistant with the Laws & therefore the generall assemblies of that Province both of that time and Since have often come into warme Resolves against it declaring that the Setting up of A Court of Equity in that Collony without Consent in Generall Assembly was an innovation without President, and contrary to the English Law & the then Assembly farther declared & resolved that the Said court of Chancery as then lately Erected & managed there was and is unwarrantable, A great Oppression to the Subject, of pernicious Example & consequence & y<sup>e</sup> all proceedings orders and decrees are and of right ought to be declared null & Void & ordered a bill to be brought in Accordingly but without Effect: tha<sup>t</sup> Governour's Assent to a bill of that kind w<sup>ch</sup> condemn'd his own Conduct being not to be Expected: but the generall dissatisfaction grew so great that the Government for some Yeares during part of the time of that noble Lord & his Success<sup>or</sup> *contin*u'd without any Support & the great difference between the Governours and Assemblies and A generall d<sup>issatisfaction</sup> verry prejudiciall to y<sup>e</sup> Service of the Crown Still Subsists on that head and hath been often [ ] the Conduct of the Govern<sup>rs</sup> for the time being Some of whom would hold no Such Cour<sup>ts</sup> & others] of them but rarely Just as they deem'd themselves Equall or unfit for the task, or as they hapned to be influenced by y<sup>e</sup> party or persons into whose hands they had put themselves and this caus'd either a totall Stagnation or A great delay of the

Justice Sued for in that Court to the great and irreparable damage of the Suitors So that had the Court been legally Established (as that has been allwayes denyed by one branch of the legislature) yet as it hath been and is now managed und<sup>r</sup> the Sole direction of A govern<sup>r</sup> not Compellable (by any known method) to hold it and who may if he pleases Alltogether decline it, it is far from being a benefit to your Majesties Subjects or answering the Good Ends that Should be intended by it As this court of Chancery under the Governour as A Chancell<sup>r</sup> or Sole Judge had Subsisted for some time contrary to the Said Act of Assembly purely by the Supposed Authority of an Ordinance in Councill Erecting the Same, So in time it became Matt<sup>r</sup> of doubt to the Governours themselves whether it could b<sup>e</sup> so Erected or not & upon Enquiry of Mr Mompesson then chief Justice of that Province by Mr Hunter how the Chancell<sup>r</sup> was made in England being told it was done by the Delivery of the Great Seale A committee of Council of y<sup>e</sup> Province [*who*] had that Matter under their consideration were of Opinion & so reported that the d<sup>elivery</sup> of the Seale of the Province of New York to the Governour Constituted him A ch<sup>ancellor</sup> accordingly he Opened the Court of Chancery by Proclamation [ ] has continued ever Since but the Generall assembly of that time conceiving [ ] tradition of the Seale in England might constitute A chancell<sup>r</sup> or Judge of A court in being long before the memory of man yet the Seale of the Province of New York not being given with that intent but for other purposes could not Extend to make the Govern<sup>r</sup> a Sole chancell<sup>r</sup> or Judge in New York contrary to the Express words of an Act in force there w<sup>ch</sup> had made a different Provision; and therefore persisted in their Resolves & this has prov'd from time to time A bone of Contention between the Governours & the People of no Service to the Governours nor (as your Memorialist conceives) of any benefit to your Majesty. And tho perhaps this matter might hav<sup>e</sup> been in A tract of time Settled and the uneasiness Occasioned by it Calmed by A governour of temper not too much under the government of his Passions Yet Such has been the Conduct of y<sup>e</sup> Present Govern<sup>r</sup> Cosby that As matters have been and are now Managed by him he has given Greater cause of disquiet and uneasyness than any thing heretofore done by any former Governour and may be productive of consequences dangerous to the publick peace unless your Majestie in your great goodness and commiseration of your Subjects there give Such timely Salutary directions as may prevent the ill effects of so unprisedented A conduct. for upon the Death of John Mongomerie Esq<sup>r</sup> your Majesties Governour of New York the Government there devolved upon Rip Van Dam



Esq<sup>r</sup> president of your Majesties counsell there who as he bore the burden of it deem'd himselfe intituled to all the Sallary profits and Emoluments of it & by the Advice of your Majesties Counsell there took them to himselfe as both the Said Counsell & himselfe conceiv'd he had a right to do: but upon the Arivall of Coll<sup>o</sup> Cosby he the said Cosby produced an Instruction in Council Said to be under Your Majesties Signat and Signe manuell whereby was giv'n to him the one halfe of all the Sallary perquisites and Emoluments of that Government from the death of the Said Montgomerie; w<sup>ch</sup> hapned long before the date of your Majesties letters Patent constituting the Said Cosby to be governour of that province and the counsell upon this mad: an Order to the said Van Dam to pay back the Said Moyetie (not to Coll<sup>o</sup> Cosby to whom it was given; but) into the treasury as being your Majesties money and upon Refusal of Payment A suit was commenced by y<sup>e</sup> Said Govern<sup>r</sup> Cosby against the Said Van Dam in Your Majesties Name by English bill in the Supream Court of that Province w<sup>ch</sup> Court from the Commencement of it till that time (being about fifty yeare) was never known to have had any Jurisdiction in Equity and upon A plea to the Jurisdiction the Chief Justice was of Opinion that it had no Such Jurisdiction nor could have any Such given it According to the Laws of England (w<sup>ch</sup> by his Commission w<sup>ere</sup> to be the rules he was to Judge by) by any ordinance of the Govern<sup>r</sup> and Council (tho no Such ordinance was then in being) without Assent of the Legislature and after the giving of this Opinion the Said Chief Justice was by Govern<sup>r</sup> Cosby Removd from his office w<sup>thout</sup> any Reason then given for his doing so & for no cause then known but his having given that Opinion. the two Junior Judges were of Opinion Against the Chief Justice that the Said Supream Court was Vested with a Jurisdiction in Equity and that by the Common law to w<sup>ch</sup> the Subjects there they Said were intituled the Said Subjects were intituled (not to Similar or like Courts; but) to the Same courts that as the Same Laws Extended the Same courts must Extend & that the Supream court in New York had all the Jurisdiction of (and was) the Court of King's bench, Common pleas, & Excheq<sup>r</sup> in Your Majesties Kingdom of England. and at another day the Youngest of the two Junior Judges before whom was Argued an Exception to the bill brought in Y<sup>r</sup> Maties name against Van Dam for want of Equity Alleging that where your Mtie Could have Relief at Common law Equity was not to be had recourse to the Said Judge did not dismiss the bill for the want of Equity (on all hands confess'd) but overruled the Exception and declared it for Law that in any case where Your majestie might have Reliefe at common law, your majesty

might Apply for it in A course of Equity. how far the Points above with Respect to the Courts & your majesties Suing for Relief in A course of Equity b: law is most humbly Submitted to Your Majestie and Your Most hon<sup>ble</sup> Privy Council as is the making use of your Majesties name in so Extraordinary A case where it Appeard by your Majesties instruction (nothing of that nature having been ever before known in that Province) that Coll<sup>o</sup> Cosby your Governour was Solely concern'd in interest in the Event of the Suit. but be that as it will the Proceedings in that case gave the Greatest uneasiness to your Majesties Subjects there who could not conceive that the Supream Court of New York was either the Kings bench Common Pleas or Excheq<sup>r</sup> in England, or all of them together or had Equall powers & tho they were generally unacquainted w<sup>th</sup> arguments in Law they knew in fact that y<sup>e</sup> Supream Court had never Exercised any Jurisdiction in Equity from its first Erect, till that time and believ'd the whole proceedings a Strain to force a Sum of money from Van Dam w<sup>ch</sup> as they believ'd he justly was intituled to & had Reciev'd & could not be taken from him & given to Coll<sup>o</sup> Cosby by any Instruction whatsoever whether Regularly Obtained or not. They Saw their Judge displaced who had long serv'd with Reputation and as they conceivd for daring to give an Opinion that he thought to be Law: this they deem'd rendred the Judges more dependant on A Govern<sup>r</sup> than Your Majestie intended they Should be and inconsistent with the Secure enjoyment of their liberties and properties w<sup>ch</sup> they were Sure your Majestie was far from intending. these Proceedings gave rise to Severall petitions from the City of N Y & many of the most considerable counties in that Your Majesties Province to the Assembly to bring in A bill to Settle y<sup>e</sup> Severall Courts of that Province by Act of the Legislature as the only Solid foundation on w<sup>h</sup> they could be Erected to the Generall Satisfaction and the not doing So has rais'd Such A generall ferment and dissatisfaction Among Your Subjects there with your Governour as is difficult to describe & not Easie to quiet. Things do not rest here but the future conduct of the Said Cosby by one of the highest Invasions of property under the Umbrage of Your Majesties Authority Joynd to his other conduct but too plainly shewd the Inhabitants what they were to Expect from the man. The City of [Albany had] been intituled by A grant under the Seale of the Province of New Yorke to A tract of land of Co [ ] in the Mohawks country and had for a long time paid A yearly Quitrent of one beaver Skin to [fo]r the Same but not having made A purchase of it from the Indians they Some tim[e since th]ought it necessary to make A purchase of the Reversion of it & a deed was executed accordingly & lodged in the hands of their Mayor but Coll<sup>o</sup> Cosby being



at Albany did for Reasons best known to himselfe desire the Mayor to let him have A sight of the Said deed <sup>wh</sup> being done under confidence of being Safely Returnd your Majesties Governour instead of returning it as was Justly Expect'd Ordered it to be destroyd & it was by the s<sup>d</sup> Govern<sup>r</sup>s order destroyd Accordingly (as may appeare by the Petition from y<sup>e</sup> Said People to Your Majestie and the Affidavits Anexd to it herewith deliverd at their desire to Your Majestie at whose Royall feet they lay their Complaints against so Extraordinary and (as they Concieve) unjust and illegall A proceeding.

[That] the Court of Chancery under the Governour there as Sole Judge did Exist by Virtue of [an Ordin]ance in Councill (contrary to An Act in force) was allwaies matter of debate and Seemed to be determined by the opinion of the board [of T]rade in the time of Queen Anne in their letter to Mr Hunter then Govern<sup>r</sup> of that province in favour of the Governour but that Opinion being given without hearing argument & on A matter not Judicially before them was deemed only the private Opinion of the writers and had not that weight [with the in]habitants, as their Lps possibly might Expect it Should but the Assemblies Sti[ ] their declarations and Resolves of its being illegale and of dangerous consequence [ ] Establishd or not no person brought before it Ever pleaded to the Jurisdiction [ ] by way of Appeale to be Judg'd of by a competent auth[ority] [ ] sent of parties was Suppos'd to be sufficient to Justifie any decree given Even if that court were admitted not otherwise to have had Jurisdiction in the Case. thus matters concerning that court hav<sup>e</sup> Stood for Some time passd but y<sup>e</sup> late conduct of Governour Cosby gave the inhabitants Aprehensions of consequences from it the most dangerous to their properties and that nothing lesse is intended by him than the resumption of all the lands Granted by Your Majestie and your Royall predecessors to the inhabitants of that collony or the forcing them to A composition for them on Such terms as he will please to impose. for the Said Governour Cosby has directed informations to be filed in your Majesties name in the Said Court of Chancery (of wh he is the Sole Judge) Against Severall of Your Subjects. there in order to Set aside A patent or Grant of Land made in Your Majesties name by John Montgomerie the next immediate predecessor of Coll<sup>r</sup> Cosby to Severall persons therein Named and when A plea was put in w<sup>th</sup> Exceptions to the Jurisdiction of th[is] Cou[rt] as to its Establishment alleging that there was A known law then unrepealed by w<sup>ch</sup> the Judges of the [Cou]rt of Chancery were to be the Governour and Councill and not the Governour Solely to that [he w]as being concerned in [the suit] he being to Re-

cieve large Summs of money for the [ ]

[h]ose lands; to the method of proceeding in A course of Equity w<sup>ch</sup> (as they were advi<sup>s</sup>d) the Law and practice of this Kingdom are uter Strangers to.—this plea was overruled without hearing any argument on it tho A day was Set for that purpose. Two Short points w<sup>re</sup> by the inhabitants Expect'd to have been discussed on these Exceptions had the Governour suffred them to hav<sup>e</sup> been Argued Viz 1<sup>st</sup> whether the administration of Justice According to the course of Equity Should be Subj<sup>c</sup>ted to the rule and direction of A known Act of Assembly by w<sup>ch</sup> the Governour and the whole councill were appointed to be Judges? or whether the Governour alone should be the Judge without any warrant or authority from any known Law whatsoever— 2<sup>d</sup> the Govern<sup>r</sup> having by Virtue of Your Majesties Letters Patent A power of granting the lands of the Crown and by the usage of his predecessors taking large Rewards under the name of fees for Granting of them; may grant them to persons in trust for himselfe; (as Governours hav<sup>e</sup> frequently done) and Consequently has a large interest in all such matters, whether Such Governour in A case of this kind is A proper and indifferent Judge and hath (or ought to have) the Sole Power According to, or in A course of Equity to Resume and take back Such lands as he or his Predecessors had Granted?

The allegations in this Plea being not deny'd nor anything Said by way of replication to avoid them the facts alleged in the plea are (as is said) to be taken as confessed to be true; and y<sup>e</sup> governours over ruling it without Argument is understood by the inhabitants to be his own determination in his own favour; an asserting that he was not bound by the Laws of the province: a taking upon himselfe to Act In Opposition to them; and an Open & avow'd declaration that he is A competent Judge tho greatly concern'd in interest in the Event of all Suits of that kind that come before him: and (what they think worse) that he has the Sole power according to or in A course of Equity to Resume and take back Such lands as he or his Predecessors had granted.

This Your Majesties Subjects there see with Horrour and dread the consequences of. there are but too many legall imperfections in their Antient grants made in the infancy of times, and but too many Seeming inconsistencies in their new ones which will at all times give collour for Suites of this nature; and were they to be tryed before Your Majestie in Councill your Subjects there would have ground to hope that notwithstanding any Reall or imaginary defects in their Grants whether Old or new your Majesties Royall bounty and goodness would rather Supply those defects by new Grants for what was intended to be granted, than Resume those lands to your

Selfe and dispossess the antient owners of them, who had been at great expense and labour in the cultivating and improvment of them; thinking themselves safe in the Enjoyment of the fruits of their Labour under Your Majesties Protection and that of the Laws made in Order to Secure them: but with unspeakable concerne they find themselves under the directions of A Governour Superior to the controll of any person there in the use of any power he will please to Say he is Vested with and from whom they have no Reason to hope the least Clemency or his declining any meanes to Enrich himselfe that is attended with the least prospect of Gain A person who when formerly Governour of Minoreca is said to have Rendred himselfe most hatefull to your Subject there by many Acts of Violence arbitrary and despotick Government & if the case of Bonav:ntura Capeda Villa concerning Some Snuff Seisd by y<sup>e</sup> s<sup>d</sup> Cosby heard before A committee of his late Majesties most honourable privy Councill is to be Rely'd on for truth he ventur'd to tell y<sup>e</sup> Judges there y<sup>t</sup> he had his Majesties Orders to Command and Require them on pain of his Royall displeasure to Condemn the Said Snuff when upon the most diligent Search in the propper offices here no Such Order was (as is Said) to be found but rather the Contrary his conduct whilest Govern<sup>r</sup> of New Yorke has prov'd but too Agreeable to [accounts] given of him from other places where he had the honnour of any Comand<sup>t</sup> the [inhabitants beheld w<sup>th</sup> astonishment his gettingt possession of the Albany deed and then destroy[ing] of it: and tho this was done on a feign'd pretence y<sup>t</sup> the Said deed was fraudulently [obtain'd] by the persons claiming by it yet had there been any process against the Said corporation on that head (even in a course of Equity) Setting forth the frauds usd in Obtaining of it had they been on timely notice heard in their defence or any Opportunity given them to controvert the Suggestions alleged and Defend the methods us'd in Obtaining of it what the Govern<sup>r</sup> did might possibly beare to hav: Something Said at least in alleviation of his Conduct: but for Your Majesties Representative and the Governour of a Province who is above contrall to gain this deed (of so great consequence to them) by Surprise in order to destroy it, to detain it against the owners consent notwithstanding Repeated Requests and intreaties to Rede- liver it and after that to order it to be destroy'd and then Avow the doing of it on the feign'd pretence y<sup>t</sup> it was illegally obtained when no such pretence or complaint was known to be made by the indians nor anything of that kind came Ju-

dicially be[fore him the] said corporation & the generallity of the inhabitants conceives an instance of [ ] unbecoming one who has the honour to Represent your Majestie and [hav- ing un]parraled in any government of Laws where the Subjects have any thi[ng they can ca]ll their Own\* these & other instances of absolute and despotick government; th[ ] ought and acting directly against your Majesties positive instructions but too plainly Shows the inhabitants what [the]y are to expect from A Governour of that Disposition clothed with So unbounded [a power] they therefore humbly throw themselves at Your Majesties feet imploring A relief [ ] lency Suitable to your Majesties Goodness and Justice and the manifest hard[ship of] their case & Your Majesties Memorialist and petitioner doth in his own and [

### III.—THE JOURNAL OF CAPTAIN WILLIAM BEATTY, OF THE MARYLAND LINE, 1776 TO 1780.

[From the original Manuscript belonging to the Maryland Historical Society.]

June 25th, 1776.—I was appt<sup>d</sup> an Ensign in ye flying Camp raised in the State of Md the 3d July I reced my Warrant in Seven days recruited my Quota of Men March'd for Philadelphia the 13th august Where the Comp<sup>t</sup> Joined the Regt to Which it belonged after Some few days Which it took to Equip We proceeded to New York Where We arrivd the 5th of September & Continued in it a Week When the Whole army Except a Small body Moved up the Island Within One Mile of Fort Washington On the 15th of this month the Enemy Landed On the Island near Hell Gate & forced the Whole of our advanced troops to retire to the main body Which lay Encamped in the neighbourhood of Fort Washington, The 16th in the forenoon some of our troops met With the Enemies Van Which brought on a brisk Engagement Which lasted Some time, When the Enemy gave Way, Some few days after this Happened a New England Captain Was Dressed in Woman's apparel arm'd With a Wooden gun & Sword & Drum'd out of the army for Cowardice, Sometime in October the Whole army Except a Garrison in Fort Washington Left York Island the Same day that this hap-

\* Another marginal reference, in a different hand-writing, indicates that something was to be inserted here.—ED. HIST. MAG.

† In the margin opposite these words was a list of those "other instances" which the memorialist referred to; but the greater part of it has been destroyed. The only legible words are "his Snatching &c."

\* Reference is made, in this place, to a memorandum in the margin, in another hand-writing, relative to additional matter to be here inserted; but the new matter has not been found.—ED. HIST. MAG.



pened I being very unwell Crossd the North river for the purpose of going in the Country to recover my health after laying two Weeks at a Dutchmans at Scrawnborg Church Which lays nine Miles from fort Lee & five from Hackensack Town I proceeded to join our Regt, Which during this time had been on their Way from Kings Bridge to Peekskill Where I met it in the beginning of November after laying here two or three days, We Went on board of Boats Which transported us down the North river to Kings ferry Where We landed and Encamped One night the next morning We began Our march towards the Jerseys by the Way of Tappan, Hackinsack Bridge & the Town about 10, o'clock the night after passing the last place Our Brigade Were Ordered to Fort Lee Where We arrived some little time before day. On this March We crossed a ferry on the Hackensack, about five miles below the Bridge Which we crossed the day before, the day after our arrival at Fort Lee being the day the Enemy attacked Fort Washington, Which Surrendered to them in the afternoon, The Enemies next object being Fort Lee Our army began to prepare for a retreat But before this Could be accomplished the Enemy landed above us Which Obligated Our army to make a quick retreat leaving all our Heavy Cannon & Stores & Baggage of all kinds behind, the Whole of Which fell into the Hands of the Enemy, We now began our retreat through the Jersey by the way of Aquckanack Bridge Which Was tore up after Our troops had pass'd it, from this We retreated down the 2nd river to a little village by the Same name at this place With Some more Officers I quartered at a Gentlemans house Who treated us With a great deal of politeness & Hospitality From here I march'd With a Piquet by the Way of New ark to One Pecks, about four miles from New ark towards the mountain the Whole of this march being in the night the darkness of Which together With the Intolerable bad roads made this tour of duty very hard this Was the last time I mounted Guard While in the flying Camp, from New ark Our army retreated in two Collums One by the Way of Wood bridge to Brunswick & the Other by the New-ark mountain Springfields, Scotch-Plains Quibbletown & to Brunswick, While Our army lay in the neighbourhood of New ark the Sick Were Sent to Morristown; Two or three days after Our arrival at Brunswick being the first of December & the Expiration of the flying Camp troops time Our Brigade March'd to Philadelphia leaving Our Brave General With a very Weak army who in a little time after Was obliged to retreat across the Delaware river notwithstanding the few troops that were left With Our Hero it is Well known that he in less than a month killed & took upward of 2000 of the

Enemy & Obligated a very Superior force to retreat to Brunswick the Consequence of Which Was they Were obliged in the Spring to abandon the Jersey intirely, after the flying Camps arrival to Philadelphia, I was employed in assisting to Pay & Discharge Compys until the 10th of December When I set out for Home Where I arrived the 14th following.

*January 1<sup>st</sup> 1777.* I accepted of a first Lts Commission in the Contl Service & immediately began to recruit On Which Service I Continued until some time in June When I march'd from Home With a party to join'd the Regt in Which I was to Serve I found the Regt With the army Which lay at Lincolns Gap, the 29th June. In two or 3 days after Our Division March'd towards the north river by the Way of Morristown, Pumpton Smiths Cove & newbern Where We Crossed the 7th of July and march'd to Fishkills. On the foregoing March at Pumpton, I went On the first Genl Court Martial I ever Sat, on the 18th, 19th & 20th We lay at Fishkills. Monday the 21st March'd to Peekskills 22d March'd five Miles towards Crowtan Bridge, The 23d We March'd 4 Miles farther & Encamped On a Hill Called Mount Pleasant It lies in Cortland's manor, The 24th a detachment of 500 Men Were Ordered out of the Division to hold themselves in readiness to March at the shortest notice, however they never Were detached, the 25th the troops Were drawn Out for the Execution of two Soldiers for House breaking. The men were reprieved. Saturday 26th of July Our Division being Ordered to return to the Jersey again We March'd from mount Pleasant to Kings Ferry; Sondag 27th in the forenoon the 2nd Brigade Crossed the Ferry & in the afternoon the first Brigade Cross'd likewise The Whole Division Encamped on the West Bank of the river, Monday 28th We march'd to Kakaa Which is 8 Miles from Kings Ferry, The next day We march'd to Paramas which is about 13 miles, Wednesday 30th We began our march very early this morning & made a halt about 10, o'clock at the Pasayac river about a Mile below the falls. Curiosity led me to see them they are a Curious Worth Seeing the Water Some Small distance before it falls passes between two rocks about six feet from each Other then falls about 30 feet & passes between the same rocks for about 30 yards Which Widen gradually till they are near 30 feet apart at the end of these rocks the Water makes a very large pond, What makes the place of halting this day more remarkable happening in a House near Where the troops Halted, the owners of which had a child they said was 23 years of age; the Head of this Child Was Larger than a Half Bushell; the body about the Size of a Child 7 or 8 years Old its Hands & feet Were useless to it the Skin as White as Milk not-



withstanding it had Never been able to Walk Or set its Parents have taut it to read & it Would answer almost any Scriptural Quotations that Were askd it, The neighbours told me that the Father & Mother Were fonder of this child than any they had, altho they had Several beside that were not Deform'd, About 2, o'clock We proceeded On Our march about 3 Miles below acquackanack Bridge on the 2d river. The Whole of this days March Was about 19 miles, Thursday 31st This morning about the time the troops began to March One of the Inhabitants Were taken up for assisting some of our Deserters over the Second River about a mile after passing through New-ark the troops Halted a Court Martial being immediately Ordered for the tryal of the Tory taken in the Morning, The Court passed Sentence of Death on him which Genl Debore Ordered to be put in Execution by Hanging the poor fellow On the limb a Sycamore Bush close on the side of the road, the troops march'd to Springfield this Evening. Fryday august 1st 77, We march'd to Quibbletown & 2d to Middle Brook the 3d by the Way of Pluckemin to Veltown, a Shower of rain this afternoon gave me a Compleat Soaking as I passed Pluckemin I Call'd & Din'd at Mr Pawlison this days march 17 miles.

Monday the 4th March through Morristown to Hanover Which is 9 miles from Viel town, at this place We lay encamped untill the 21st of august Only changing Our ground of Encampment a little, the 9th While at this place a Soldier was shot for Desertion to the Enemy, Thursday 21st the Division leaving their tents & Baggage With a small guard, began their march by the Way of Elizabeth Town & Crossed the Sound next morning about 2, o'clock after the Whole of the Division being Safely on Staten Island We began to Penetrate it two Ways the first Br. upwards & the 2d Brigade Downwards, about 10, O,cl the Whole of our forces on the Island began to move towards the Old Blazing Star ferry to recross But the want of a Sufficient N° of Boats made that business go on so slow that the Enemy had time to Cut off about 230 of our Rear, We took & brought off 9 officers & about 100 Men of the Enemy's new levies, most of the troops that got off the Island Went to Spunktown this Evening, Saturday the 23d We march'd to Springfield Where we lay the next day, Monday 25th The army & Fleet of the Enemy being now in the Chesapeak Bay the Whole of our troops began to Move that Way this day We reach'd Brunswick, 26th Princetown Where we lay untill the 28th than proceeded to Trenton & Crossed the Ferry, 30th We march'd five miles past Bristol, Saturday 31st March'd past Philadelphia & Encamped On the West Bank of Skuykill Where we Continued On Sunday, Monday Sept: 2nd 1777

March'd to Chester & the next day to Wilmington Where We lay untill the Sixth this day the troops being drawn up to march a musquet unluckily Went off and Broke a soldiers leg Which Was cut off Soon after, We march'd to Ridlick Creek & Encamped, Sunday 7th as the approach of the Enemy gave reason to apprehend an attack the Whole of the troops were ordered to throw up Breast works in front of their respective Camps We began this Work to day & Compleated it On Monday the 8th about 10, O'clock, The Enemy not thinking Proper to Continue their march On the Road by Wilmington & new-Port But Push'd to Cross the Brandewine at Shadsford Obliged Our army to Move that Way the 9th We began this march about 2, O'clock in the morning, Wednesday 10th Sept the alarm guns Were fir'd & the Whole army got under arms, However the Enemy did not approach the army extended its Right Higher up the Brandewine at the Same time a Battery Was began by the Park of artillery Opposite Shads Ford, Our Division being On the Right of the Army, We extended to to large stone Mill about One Mile above the Ford in this Position We lay all night, Thursday 11th Sept the Enemy appearing about 10, o'clock the alarm Guns Were fired & troops drew up in Order of Battle from this time till about two in the afternoon there Was a pretty Constant Cannonade at Shads Ford there Was likewise Some Skirmishing between parties of our people & the Enemy some time about the middle of this afternoon Intelligence was received that a very strong Body of the Enemy had Cross'd above Our army and Were in full march to outflank us this Obliged Our Right Wing to change their front to the right, But before this Could be fully put in execution the Enemy appeard & made a very Brisk attack Which put the Whole of our Right Wing to flight, However I believe this Was not done Without some Considerable loss on their Side as Some of the Right Wing behaved Gallantly at the Same time the attack Was made On the Right the British began to Cross Shads Ford Which made the fire almost general on all quarters about Sun down the Whole of our army gave Way and retreated to Chester We lost Eight Field Pieces I Immagin about 500 Men killed, Wounded & Prisoners as to the Enemies loss I cant pretend to Say but I immagin it must have been Considerable as there Was a great deal of very Heavy firing Fryday 12th We Continued Our Retreat to Skuykill & the next day Passed by Philadelphia to German Town Where We Encamped, Sunday Sept 14th the Whole army Recross'd the Skuykill at the Spring Mills and on the 16th Drew up in Order of Battle in the Neighbourhood of the White Horse But a very heavy rain Coming up prevented the Enemy attacking us about 2, o'clock in the afternoon We began to march to-

wards the Yellow Springs where we arrived about 2, O'clock, the next morning all the Small Branches that We Were obliged to Cross On this march Were so rais'd by the Hard rain that they took us to the Waiste & under the arms When We Waded them, none of our men preserved a Single round of ammunition that did not get thoroughly Wet the rain left off falling the morning of the 17 about break of day, In the afternoon We began our march towards the valley Forge near Which We again Waded the Schuylkill On the 18, & Continued Our march untill We got Opposite the Enemy at Sweeds Ford, after laying in this position a day or two the Enemy put themselves in motion to Cross the Schuylkill & our army leaving the Passes clear at the same time march'd up the Country to a Place called New Hanover Where We lay Some days during our stay at this place a Detachment Was sent to Mud Island below Philadelphia from this place We March'd to Perkeomen Mills, While at this Place We Were join'd by the Maryland Militia here Were fired 13 Pieces of Cannon for our Successes to the northward, about the beginning of October We march'd from the Mills towards the Enemy & On the 3d in the Evening our Whole army began their march to attack the Enemy Who lay at German town and on the morning of the 4th about Sun rise the attack Was made With such Briskness that We had the pleasure to pursue the Enemy Intirely through German town When Cornwallis Coming With a reinforcement & Some bad management on our side obliged us to retreat this Was about 9, o'clock many of our troops Reached Penny-beckers Mills On the Perkeoman this Evening, the next day our Wounded Were sent to Reading & the army Encamped after laying at this place a few days the army mov'd towards the delaware River to the next main road between Perkeomen & that river While at this place We had the satisfaction of firing the second feu de joy for our nothern armys Success against Burgoin from this place the army mov'd to the Encampment We occupied the Evening before the Battle of German-town Here we reced the glorious news of the Captivity of Burgoin & his army On this Occasion Was fired a Feu De Joy of Small arms & Cannon from this Encampment We movd Within three Or four miles of White marsh Bridge this being some time in November the next move was to the Hights near the Bridge before mentioned Where We remained until some time in December, Some few days before our army left this Encampment the Enemy Came out as far as Chesnut hill about one mile & a half in our front during their Stay We lay Continually on our arms there happened some skirmishing between our advanced Parties & the Enemies the third night the Brittish thought proper to retreat Which they did With precipitation our army in two days after the Enemy re-

treated began their march for Winter Quarters' Genl Sullivans Division in front Who after they had Crossed the Schuylkill On a foot Bridge near the gulf Mills Were obliged to recross by the appearance of a Body of the Enemy that Were on the West Side of the river here We lay till near night then march'd as high as Sweeds ford Where We lay a day & night then march'd to the Gulf Hills from Which place all the army except the Md Division march'd to the Valley Forge Where they built huts to pass the Winter in the Md Division Went to Q<sup>s</sup> in Wilmington Where they fared very well as to Quarters but the duty Was very hard & the troops very bare of Clothing However in a few days after our arrival there We had the good fortune to take a valuable Prize of cloathing &c from the Enemy Which had ran ashore in the Delaware Some time in February 1778 the Garrison Was alarmed by some boats coming down the river full of Men after this Was over We pass'd the remainder of our stay in quietness Which was till Some time in may When the Division mrched and Joind the army at the Valley Forge, While We lay in Wilmington a certain John Dewick was Executed for Desertion & Piracy his Execution was on the 29th of April 1778, Some time before the division left Wilmington I Went on a Detachment Under the Command of Col P Down to Bombay Hook Island & Dover in Kent County Delaware While on this Detachment We took two British navy officers 11 marines, 60 or 70 Tories.

Early in June the detachment returned to Wilmington, June 5th about 9, o'clock at night We march'd from Wilmington & reached, Del-worthtown, next morning about 2, o'clock, Where We Stay'd till some time after day than March'd and joind the 2d Brigade Which lay near Shads-ford, in the afternoon We began our march for the Valley Forge this night We Encamped near One Mattocks, June 7 we march'd to the Warren On the Lancaster Road & quartered in that neighbourhood in Barns & Houses it being rainy Weather, June 8th We march'd & Joind the army at the Valley Forge Where We continued untill the 18th When part of the army began to march towards the Jersey this Was in consequence of the Enemies leaving Philadelphia, June 19th the remainder of the army left the Valley Forge and reach'd Credells Ferry the 21st next day we Cross'd & Joind that part of the army that march'd from the Valley forge the day before We did, June 23<sup>rd</sup> the army left the Whole of their Tents & Baggage & March'd to Hopewell, the next day Our Tents & Baggage came up & the army Encamped from this place, a strong detachment Was Sent Out towards the Enemy June 25th the army left their Tents standing & Proceeded towards the Enemy Who



Was retreating With all Possible Dispatch this day We March'd as far as Rocky Hill Where We lay till Sun down then Continued Our march till about 1' o'clock next morning this day While We lay at Rocky Hill a Second detachment Was Sent out in pursuit of the Enemy June 26th We march'd about 5 miles this day in the afternoon We had a very great gust of rain, June 27th the army began to March about Sun rise then halted & Completed Our men with 40 rounds of Cartridges, June 28th 1778, about 8, o'clock We began Our march towards English town, Which Was about 5 Miles in Our front We had not March'd far before a Cannonade Was heard Which happened between Our advance & the Enemies rear, near monmouth Court house about a mile before We reach'd English Town We Were Ordered to leave Our Knapsack & Blankets then resumed Our March passing by English Town to a Church about two miles nearer monmouth, By this time our advanced troops had retreated nearly to this place Which Occasioned a very Sharp Cannonade between our front line & the Enemy this had not lasted long before the our front line of Infantry & the Enemy Which obliged the Enemy to give up the field With the loss of upwards of 300 killed Which Were left, this Was about 6' o'clock in the Evening Our rear line then advanced and took the ground On Which the front had been, the Whole of our army lay On their arms all night, The Enemy took the advantage of Moon Shine about 1' o'clock the Morning of the 29th and retreated to avoid the attack Intended to be made on them by day break they left a number of their Wounded Officers & Men at Monmouth Court house & Some prisoners they had taken about 5, in the afternoon of ye 29, We march'd from the field of Battle to Where We had left our Packs Where We continued the 30th, July 1st 1778, about 1, o'clock in the Morning We began Our March Which Was Continued to Shotswood forge, Where We arrived about 8, o'clock and Halted till next morning about 1, o'clock then proceeded by Brunswick to Raritan landing Where the Whole army Encamped on the different Banks of the river; July 3d the troops took to clean & refresh themselves July 4th I obtained permission to go to Caecil County in Maryland after Some of my Baggage I Went as far as Trenton this day, July 5th 1778 I Went to Philadelphia the 6th in the afternoon I set Sail for Wilmington Where I arrived the 7th in the Evening, the next day I stay'd at this place, July 9th after Sun down I Went to Newark the next day to Oc-tarara Where my Baggage Was & did My Business—July 11,th I returned as far as Newark & the 12th to Wilmington, the 13th after Sun down I went On Board a boat for Philadelphia Where I arrived the 14th, July 15th about 2' o'clock

in the afternoon I left the City on foot but after going about 10 miles a gentleman overtook me Who gave Me a Seat in a chaise to Bristol Where I Stay'd all night, the next morning I proceeded again on foot to Trenton Where I Breakfasted then Continued my Walk towards Princetown, by the good fortune of a Second Seat in a chaise I reach'd that place by 2' o'clock this Evening the Waggon I had with Join'd me, also J. J. J. Fryday July 17th Went as far as the Scotch Plains the next day to a Mr dod's, Sunday July 19th 78, We lay by N B, It Must be Observed I left the army near Brunswick but on my return they had left that place & march'd to wards the White Plains, Monday July 20th I left Mr Dods & Went to Kaekaett, the 21st I cross'd the North river at Kings Ferry & Went 4 miles past Peeks-kills, the 22d I overtook the troops about 6 Miles from White Plains, here We continued untill the 24, then march'd to the White Plains, Thursday July 30th I rode to the Saw pits & din'd on Osters afterwards I rode into Connecticut & Crack'd Some good Wine Saturday 1st august 1778 Our Brigade Mov'd their Encampment a little to the left, the 2d the Whole army struck tents & prepar'd to march in about 3 hours they Were ordered to Pitch their tents on the same ground, Thursday august 4th, about 5 in the afternoon I went on a three days Command towards the lines under Genl Mullenberg We march'd to Tuckahoe Heights & Encamped the next day we March'd Within four miles of Kings Bridge from here Col Morgan Was Sent forward With two Battalions the remaining two With the Genl Encamped 2 Miles Back, Thursday august 6th 1778 this Morning Our detachment March'd from their Encampment towards the lines by a Right Hand road about 2 Miles then We turned to the left to the ground We lay on the day before here We lay untill the evening then returned to our last Nights Encampment Fryday august 7th We returned to the White Plains Sunday august 8th Some time in the night We had a very heavy rain Which made the remainder of the night disagreeable, Monday august 17th a Soldier Was Shot for Desertion Tuesday august 18th I Went On the Provost Guard from Which I was releived the next day, Wednesday august 26 the tents of the Whole army Were Struck & the Whole of the Baggage loaded in Order it Was Expected to march about two Hours after we Ordered to sweep the Encampment & Pitch the tents On the Same Ground, Wednesday Sept 16th 1780\* the Whole army Struck their tents & Sent them off Early in the morning, the Troops Were Continued On their Ground Untill 3, o'clock

\* This is evidently a clerical error, since the *Journal* subsequently relates in the same connection, what occurred later in 1778.—Ed. Hist. Mag.



in the afternoon, then March'd about 5 miles from the plains Where they Halted Without their tents Some time in the night a very heavy rain began to fall Which lasted all night the Want of our tents made our Situation very disagreeable When the army left the White plains the Right Wing March'd the road leading by Crotons Bridge & the left Wing a road to the right of it, this Morning the Enemy surpris'd Col N Gists Regt of light Infantry Which lay about 8 Miles below the White Plains Thursday Sept 17 We March'd about two miles above Crotons Bridge Where We got our Regt in a Barn & halted till our tents Came up When We Encamped, Fryday Sept 18, about 2, o'clock in the afternoon we March'd about two miles, the next day we march'd about 8 miles Higher up the Country, Sondag Sept 20th 1778 We March'd about 4 miles past Fredericksburg Where We lay until the 22nd On Which day Our Division march'd 12 miles toward Fishkills at this place We lay until the 28th When We march'd to Fishkills Saturday Oct 3d A Soldier of our Regt Was Shot by accident, Tuesday Oct 13 We march'd to new Hackensack there We lay until the 26th on Which day We returned to Fishkills the 30th a Soldier Was Executed for House Breaking, Monday Nov 2d I Went to new Hackensack & returned the next day, Fryday Nov 6th a detachment of 600 Men Were Ordered from the division to Escort the Convention prisoners through the Jersey Monday Nov 23d our B march'd from Fishkills & cross'd North river the next day I Went forward With a Party to repair the roads about 5 miles from the Ferry, this night I was kindly Entertained by a Mr Bellnap, the next day I proceeded With my Party as far as a M Halls Within a Mile of Chester Thursday Nov, 26th the division arrived at Chester about 1, O'clock here the men Were quartered in the adjacent Barns I lodged at a M Jacksons this night, the next day Brought my men & quartered them in his Barn & Myself With Other Officers in His House Saturday Nov 28th I received Some cloathing Which Were Sent from home to me, Sondag the 29th Several of us went to Meeting at Florida about 3 Miles from M Jacksons, Monday Nov 30 a Smart Snow fell in the fore part of the day, Tuesday Dec 1st We Collected the Girls in the neighbourhood and had a kick up, in the Evening, the Fryday following we had the Second, Sondag Dec 6th I walked to Capt Bradner Where I spent the afternoon With the Young Ladies his Daughters, Monday Dec 7 I went with a Guard to Oxford & took my post at a M Sealys, the next day I Was Order to Join the division With my Guard, Wednesday Dec 9th We march'd from Chester by the Way of WarWick into Sussex County in the Jersey Our Men lay in Barns in the neighbourhood of a Col Brodericks, I Lodg'd at a Mr Haggs, Thursday

Dec 10th 78, We began Our March this Morning through a rain Which Continued to fall untill the middle of the afternoon then turn'd to Snow Which fell very fast till Some time in the night then held up We Quid our Regt at Sharpsburgh's Works, In company With Several Officers, I Quartered at Mr Browns Who Was Overseer of the Works, here We continued until Sondag the 13th about 2<sup>o</sup> O'clock When Our Regt alone began to March in the Morning & began to rain Which lasted untill a little time before We halted for Q<sup>rs</sup> in the at a Mr Biron On the Road leading to Morristown, the Snow Which had fell two days before & rain Which fell to day made So much Water that all the Small Creeks much Swelled & the Whole of the road so full that but a few places that did not come Over Our Shoe tops, Monday Dec 14th 78, March'd from Biron to Suckee-gunny Plains Where We Q<sup>rd</sup> our Men in Houses I Quartered at Mr Randolph's, January 5th 79 I traveled from Cummings & cross'd the Ball-Fryer Ferry On the Susquehannah & Put up at Jolleys in Harford, the next day I got near Rogers Mills in Baltimore County & the day after at Westminster in Frederick County, January 8th 1779, I arriv'd at Home Where I remained till the 15th of March When I set out for Camp by the way of York, Lancaster, Wilmington, Philadelphia, Trenton & Princeton I Joined the army the 29th March, in their Huts near Middle Brook, In the Beginning of april I Went on a Detachment to Shawsburg in monmouth County here We continued very peaceable Spending our Spare time With a number of fine Ladies in this neighbourhood untill the 26th of the month in the morning before Sun rise We Were very near being Cut of by a party of British under Major Ferguson But have a little notice of the Enemies approach We retreated about 7 Miles towards Monmouth Court House I lost my Waiter & all my Cloaths except What I had On, Several Other officers Shar'd the same fate Our loss in Men was 22, the Enemy left Shrewsbury 9, o'clock & the next day We took our Post again & Continued in it untill the last of May, then March'd for Middlebrook Where We arrived the 2nd of June about a Week after the army began their march towards Smiths Clove by Morris Town, Pumpton & Ram-paugh Clove, While the army lay in Smiths Clove On the 16th July before Day Genl Wayne took Stony Point, the 17th we march'd from Smiths Clove & Encamped at Buttermilk Falls the 20th, the 18 august before day Major Lee Surprised & took Pauls-hook We Continued at Buttermilk Falls forwarding the Works about West Point untill the 26th Nov 1779 On Which day We march'd as far as Smiths Clove through a heavy Snow that Was falling on our rout to Winter Qrs, We Continued our march by the Way of Ram-paugh Clove Pumpton Battle Hill from Where We

march'd the 3rd of December to Weeks Farm Where I Continued to forward my mens Huts till the 26th December then Set out for Maryland On the recruiting Service by the Way of Plackemin, Princeton, Philadelphia Wilmington, Head of Elk, Baltimore annapolis & Rock Creek from Where I Went to Fredrick Where I arriv'd the 20th of January 1780 & continued until the 23d of august following When I set out for Annapolis here I Continued until the 22nd of October then march'd for our line Which Was at this time in N Carolina With a Party of recruits, by the Way of alexandria, Richmond, Petersburg, & Hillsborough Where I expected to Join the line but Was disappointed by their Marching to Charlotte, some time before, Fryday, Nov 24th 1780 I march'd from Hillsborough With Genl Stephens Brigade of Virginia Militia to Join the army Our rout Was by Guilford Courthouse, Salisbury from thence to Charlotte Where I arrived & Joind the line the 7th December 1780, Genl Greene had Superseded Genl Gates in his Command of the Southern army a Day or two or before, When I Joind the troops Were Hutting Which they Completed a few days after, Dec 16th two Companies of Lt Infantry being Ordered Out I got Comd of the Compy form'd by the late 7th Regt, Wednesday Dec 20, 80 the army march'd from Charlotte 10 Miles to fords Farm the 21st to Richardsons Creek 18 Miles from Fords the 22nd to Browns Creek, 19 Miles from Richardsons the 23d to Cedar Creek 16 miles from Browns, the 24th Pass'd by anson C-House to Haleys Ferry, 18 Miles from Cedar Creek, the 25 was taken up in Crossing the Ferry the 26th we reach'd Hicks Creek 15 Miles below Italys Ferry in South Carolina this being the place the Genl intended to take post at, We began to build Small Huts the 27th, January 5th 1781 a Soldier Was Shot for Desertion, Jany 10th a very Heavy rain fell Which rais'd the river Pee Dee and small Creeks so much that the troops Were Obligated to draw Corn in lieu of Meal On the Eleventh Fryday 12th In the night I went Hunting, 13th I wrote to F—— & P—— Wednesday 24th The army in Consequence of a victory obtain'd by B, Genl Morgan On the 17 instant Over a Superior force of the Enemy Comd by Col Tarleton, near the Cowpens fired a Feu de Joy, I wrote to C—— & G—— Thursday January 25th 81 Genl Stephens Militia left us their times being Expired

#### IV.—LEBANON, CONNECTICUT.

*Extracts from the Records of the South Ecclesiastical Society in Lebanon, New London County, Connecticut.*

1728. "Granted liberty to Dr. Gray to build a

"pew taking up two of the hind seats and about "2 foot out of the men's side, and about so much "out of the woman's side upon condition that he "give to the Society a good credible cushion to "furnish the pulpit withall."

1736. A committee was appointed "to state "the places where particular persons may set "up Horse Stables and small Sabbath Day "Houses upon the edge of the Highway adjoining to Some Lott and also agree with the person unto whose Lott they would adjoin their "House."\*

1739. "Voted that the front fore Seat in the "gallery be equal to the 3<sup>d</sup> Seat below in the "body of the seats; & that the fore Seat in the "side gallery from end to end be deemed equal "to the 4<sup>th</sup> seat in the body of Seats."

"Voted that the men that are seated in the "fore Seats in the gallery shall have suitable "pews or Seats for their wives below." [It was, it seems, the custom to seat the people in the meeting-house according to their rank in civil life.]

"Voted that all the children under 10 shall "sit below in the Meeting House: that all males "above 10 to 16, and all females above 10 to 14 "years of age shall leave the foreseat and the "2<sup>d</sup> seat all round the gallery for those that are "older."

1740. "Voted to Hire a School Master at the "cost and charge of the Society to keep a Grammar School in the Society the whole year, 4 "months at a time in 3 different places."

"Voted that the Society Committee should "agree with some person to dig graves at the "cost of those persons who should want them."

"Voted to let down the Bell Rope at the South "East side of the wheel provided it be done "without cost to the Society."

"A committee proposed to read 2 schemes for "seating the Meeting House, so far as the front "and side fore seats in the gallerys, and for the "Society to vote for one of them." [*i. e., of the two schemes,*] "and the Society voted not to vote "any thing about it." They then reconsidered that vote and voted which they would adopt.

1741. "Voted to have the Schools in the Society kept by masters which shall on the whole "be equivalent to the Grammar School that is to "be kept for the whole year."

"Voted that the committee to be chosen shall "appoint School Dames to keep school in the "Summer."

\* Some of these buildings were standing within the memory of the writer, but they have all long since been removed. The "Sabbath Day Houses" had chimneys and a fire, where the owners could warm themselves before going into the church in the winter, and where they could remain during the intermission; for, even in the most inclement season, they had two sermons each Sabbath. They had no stoves, except the women's foot-stoves.



1743. "Voted to hire 8 School Mistresses to teach children for 4 months."

1746. "Appointed a committee to divide the Society in suitable districts." [Why this was not done before, does not appear. They must have had similar ones before; and probably this was a new arrangement of them.]

The "Meeting House" spoken of in the above extracts is the one mentioned in the following from *Stuart's Life of Jonathan Trumbull, Sen.*, p. 514, and in which the scene represented there, in an engraving, occurred; which is also described in a note:

"During the war—after divine service on a Sunday, or on a Thanksgiving day—contributions were often taken in church for the benefit of the Continental army. Cash, finger-rings, ear-rings, and other jewelry, coats, jackets, breeches, shirts, stockings, hats, shoes, every article in fact of male attire, besides groceries in great variety, were frequently thus collected, in New England particularly, in large quantities. Upon one such occasion in Lebanon Meeting House, Connecticut, after notice given that a collection would be taken up for the soldiers, Madam Faith Trumbull rose from her seat near her husband, threw off from her shoulders a magnificent scarlet cloak—a present to her, we hear on good authority, from the commander-in-chief of the French Allied Army, Count Rochambeau himself—and advancing near the pulpit, laid it on the altar as her offering to those who, in the midst of every want and suffering, were fighting gallantly the great battle of freedom.

"It was afterwards taken, cut into narrow strips, and employed, as red trimmings to stripe the dress of American soldiers. The act was one of peculiar generosity. It shed an instant luster on her patriotism; and the example was contagious. From all parts of the congregation, donations were at once showered; and many overloaded baskets upon this occasion, as upon many similar ones in the same place, were borne from the church, to have their contents carefully packed up, and sent away to the army."

It was in this same church that Rev. Solomon Williams, D.D., preached fifty-four years in one continued course, and died on the twenty-ninth of February, 1776, not long before the scene above described. His Half-Century Sermon, printed in Norwich, by Green & Spooner, 1773, is in the possession of the writer; also his funeral sermon, by James Cogswell, A.M., preached at Lebanon, in that same church, on the fourth of March, 1776, and printed at Norwich by John Trumbull, near the Meeting House, 1776.\*

In Lossing's *Pictorial Field Book of the Revolution*, page 33, it is remarked that "around Lebanon, the focus of Connecticut patriotism and vigilance during the Revolution, cluster associations of the deepest interest."

In the winter of 1780–1, the Legion of Duke de Lauzun were quartered there, "and these were carefully cantoned a little west of the church on the road to Colchester. The spot is known as 'The Barracks,' to this day; and formed a portion of the farm which belonged to Governor Trumbull himself."\*

A little to the south of the same church, in a wide open space which extends North and South along the public road, or rather between two public roads, for a mile and a half, stood the famous brick Academy; which continued till a comparatively recent period, and in which, from first to last, a multitude of young men were prepared for College, or for the active duties of life, without a liberal education.

We learn from *Stuart's Life of Trumbull*, that it began in 1743; "and it was not many years before it acquired a celebrity second hardly to that of any Academy in all New England."

"My native place," wrote the younger son of the Governor, in whose boyhood the Institution seems to have been at the zenith of its reputation, "was long celebrated for having the best school in New England (unless that of Master Moody in Newburyport might, in the judgment of some, have the precedence). It was kept by Nathan Tisdale, a native of the place, from the time when he graduated at Harvard to the day

Williams, of Hatfield, a graduate of Harvard College in 1663, died on the twenty-ninth of August, 1741, in the seventy-ninth year of his age, and the fifty-sixth of his ministry. His son, Dr. Solomon Williams, of Lebanon, graduated at Harvard in 1719, died on the twenty-ninth of February, 1776, in the seventy-ninth year of his age, and the fifty-seventh of his ministry. Dr. Eliphalet Williams, of East Hartford, graduated at Yale, died on the twenty-ninth of June, 1803, in the seventy-sixth year of his age, and fifty-fifth year of his ministry. His son, Rev. Solomon Williams, of Northampton, a graduate of Yale in 1776, died on the ninth of November, 1839, in the eighty-third year of his age, and the fifty-fifth of his ministry. His son, Deacon Eliphalet Williams, of Northampton, is living, at the age of eighty-six, and in the daily discharge of responsible duties as bank director. Each of the four clergymen who died remained in the pastoral office, in the place of his first settlement. They were all men of learning, able preachers, faithful pastors, friends of education, loyal to their country, public-spirited, an honor to their respective colleges, and benefactors of the communities in whose services they spent their lives. The name most numerous on the new triennial catalogue of Harvard University is that of Williams, of whom ninety-one have graduated. The most of them are of the same stock with the above, connected with the earliest settlers of Massachusetts.

\* It is said that the first riding vehicle, called a *Chaise*, introduced into that State, was owned by the first Governor Trumbull. After his death, it passed into the hands of an ancestor of the writer, who has now a small box made by himself, when a boy, from one of the panels of the seat.

It was, we suppose, when riding in this with General Washington, he rather reproved the latter for bowing to a negro man, whom they met; and Washington replied, "Would you not be as polite as a negro?" It is well known that Trumbull and Washington were particular friends through the war-

\* LONGEVITY OF A FAMILY OF CLERGYMEN.—Rev. Wm. Wil-



"of his death, a period of more than thirty years, "with an assiduity and fidelity of the most exalted character, and became so widely known "that he had scholars from the West India Islands, Georgia, and North and South Carolina, "as well as from New England and Northern Colonies."

In Sprague's *Annals of the American Pulpit*, in a communication of Rev. Timothy Stone, in reference to Rev. Solomon Williams, D.D., so long the pastor of the Church in this place, we read that, "Few ministers of his day accomplished so much for the promotion of literature and science among their people as Dr. Williams. "For a long course of years, Lebanon was distinguished for the best Grammar School in any country town in Connecticut. It was taught "by Mr. Nathan Tisdale, a native of Lebanon, "and a graduate of Harvard College in 1749. "So extensively and so favorably known was the "school, that it numbered among its pupils "youth from almost every part of the country; "and such was the confidence placed in Mr. Tisdale's recommendation of his Scholars, by "the authority of Yale College, that it was, in "some instances, accepted in place of an actual examination. This school was established "chiefly by the efforts of Dr. Williams; and the "consequence of it was, that for many years, "Lebanon was not only remarkable for its intelligence, but furnished more ministers of the "Gospel than perhaps any other town of its size "in Connecticut."

In relation to this last remark, we may mention that though the township is scarcely more than eight miles in diameter, and the town of Colchester on the west has had a large Academy, named Bacon Academy, where for a long time tuition was given to all the inhabitants of that township, yet on a visit at Lebanon, a few years ago, we heard reckoned up in that town, from the first settlement of the country, in all denominations, about a thousand preachers that had been born, educated and sent out from there.

E. F. R.

DAVIDSON'S COLLEGE, N. C.

#### V.—A BRIEF ACCOUNT OF THE PROVINCE OF EAST-NEW-JARSEY IN AMERICA. 1683.\*

It is a Matter beyond all Question, that Plantations in America, is a thing of a great Advantage

to the Nations of Europe, which hath made each of them, since the discovery of it, seek so earnestly to have Interest there. And since there is hardly any but has some footing, except SCOTLAND (the project of *Nova Scotia* having proved unsuccessful) yet not any to whose advantage it would so much Contribute, without the hazard of those Difficulties, that may befall others by such Colonies.

The chief Reason against Forraign Plantations being the drawing too many Inhabitants out of the Nation, and so leaving the Countries at Home unfurnished of People: This is that which makes some say that *Spain* is rather a loss than a Gainer by their Forraign Plantations: But (besides the bareness of the *Spanish Nation*; the extream heat of their Plantations; The Unhealthful Imployment of Working in their Mines; add thereunto the just Displeasure of the Almighty at their barbarous and cruell Usage of the Natives, which justly takes away a Blessing from them, without which all Endeavours are vaine and fruitless.) Our Country is in no danger of Hurt that way, for we could spare several thousands every year, without the least prejudice of such as stay at Home, and to the great Advantage of those going Abroad; Yea, were there but a way opened (as by the Providence of GOD, there seems one now in a good measure) that such, who however do daily go out of SCOTLAND, upon a certain sort of Necessitie to seek their Fortune, might find an Opportunity of a Forraign Plantation, there might in an Age, as large and plentiful a Colony of *Scots-Men*, be abroad as *Scotland* is at home, not inferior to *Scotland* in number, and far exceeding it in Riches, and all other Conveniences. Which; as it would be an Honour to our Nation, so would it give great satisfaction to most of People here, to understand their Friends and Relations were living so plentifully, and it would be a comfortable Receptacle for any here, whose Circumstances made them uneasy at Home.

To make this more manifestly appear, let it be considered what number of People have gone out of *Scotland* since the year 1618, That the Warrs began in *Germany*, since in the *Swedish Armie*, at one time there was said to be 27 *Scots* Collonells: And into *France*, to *Douglas Regiment*, from time to time, We believe it will be granted but a modest Calculation to affirm there hath been many thousands, and yet of that Vast Number few have ever returned, or had Success

\* For the privilege of copying this exceedingly rare tract—one of the rarest, it is said relating to the English Colonies in America—we are indebted to Samuel L. M. Barlow, Esqr., of New York.

The original is a small quarto, of fifteen pages, including the title-page; and it is entitled:

A | Brief Account of the | PROVINCE | or | EAST-NEW-JARSEY | IN | AMERICA: | Published by the | SCOTS PROPRIETORS | having INTEREST there. | For the Information of such, as may have a Desire to Transport them- | selves, or their Families thither. | WHEREIN | The Nature and Advantage of, and Interest in a Forraign Plantation | to this Country is Demonstrated. | EDINBURGH, | Printed by JOHN REID, Anno DOM. 1683. |

sion: scarce any Family hath remained Abroad in any Comfortable Settlement. And to be sure, not the 10<sup>th</sup> part hath ever returned, that their Equipping them abroad coast: they all, either dyed, or been killed there, without any benefit to our Country but an empty Fame; Which is now in those parts little or nothing considered.

Yea, it may be well affirmed, that the charge of *James, Marquisse of Hamiltonne* his Expedition in the year 1631. coast four times more than ever all our Souldiers of Fortune brought home to *Scotland*. Now, if these People had gone over to some Forraign Plantation, and had but a Proportionable number of Women with them, which this Countrey could easily have spared, what a brave and large Collonie would there have been by this time, and very advantageous to *Scotland*, as shall after be made appear.

Both the Gentry and Commonalitie of our Countrey being very fruitful, and *the Law giving to the Elder Brothers, all their Fathers Estates*, and that of the younger being but small, It is known, how they are for most part put upon the Rack for a comfortable Lively-hood, the *Session-house* is not able to contain the hundred part of them: Where sometimes also the elder Brothers will have their share, and six and or seven Advocats make, for most part the Lives of all the rest, but a miserable and tedious Drudgery, so that they are either forced to go abroad upon their Shifts, whence few or none of them ever return; or otherwise, if they stay at home, hange upon the Laird in a most slavish and sordide manner, which is a great Debasement to the Spirits of many, and a defeating of good Improvements they might make in the Creation, for by Birth and Education being Equal till they come to be Men, then their Spirits are spoiled by so great inequality afterwards.

Now these Younger Brothers having but an 1000. or 500. Acres of Ground in a Forraigne Plantation, with a 100. *lib.* starting to stock it, which the most ordinary of their Portions might reach to, might, by a very moderate Industry, live as comfortably as their Elder Brothers at home, and provide their Children better; and each of those would not want enough of the Commonality to go alongst with them, upon the Encouragements they might receive to be their Servants.

And the Voyage to a Plantation here proposed, is become so easie, and the Intercourse so frequent, that a Correspondence would be as ordinar as is betwixt the *South* and *North* parts of this Nation: Yea, a great deall more than is usual betwixt the *West* and *Northern-Islands*, and the other more frequented parts of the Countrey.

It is also generally known, how hardly the Husbandmen here do live, and with how much

Toil and Difficulty, they are able to pay their Rents, and have any comfortable Lively-hood; The Reason whereof is, That, especially near the Sea-side, and most inhabited places, they are be far overthrong, and one might Manure what two or three have: For by seeking to have so much *Corn-Land*, they eat out the Substance of it, wearie themselves, and wrongs their Landlords: So that, if there were fewer of them, and each of them had more Land, and lesse in Corn, and more upon Grasse for Bestial, they would have a greater ease, and their Masters would be better paid; But they not knowing how to dispose of themselves otherwise, makes them thus throng one upon another, and render one another miserable.

Now there would be a notable Remedy for this in a Forraign Plantation, for a Husbandman that hath two or three thousand Merks in Stock (as most of them have) might transport himself, his Wife, and his Family, and get a little Plantation at so easie tearms, in a short time so stocked, that he might live more Comfortably, plentifully, and at lesse Labour than many of the Masters do here.

It is also known, that ordinar Servants here, after they have served 6. or 7. years in the pryme of the youth, can hardly, the most Thrifty of them (over what serves them in Cloaths) gather so much together, as when they Marry, and come to have Children, will be the beginning of any Comfortable Lively-hood: But there after 4 years, they may be in a far better Condition, as shall hereafter be demonstrated.

There needs no other, nor more evident proof for this, then the example of most of these, who, being taken at the fights of *Dumbar*, and *Worcester* in the years 1650 and 51, being sent over as Servants to *Barbadoes*, and other places, after they served out their time, have most of them purchased notable Plantations for themselves, both in *Barbadoes* and *Mary-land*, and els-where, and live very plentifully, accounting themselves happy in that providence that brought them there, and extremely regrating the Condition of many of their friends at home, and wishing them sharers of their prosperitie.

But some, who will readily acknowledge what has been here said, doe think it impracticable for our Countrey-men to have this advantage. Because there is no forraigne plantation in *America* belongs to the Crown of *Scotland*, and all of such, where we could settle, are a part of the *English* Dominions.

It shall not be contended, but it were well there were some belonging to *Scotland*, for that it is not proper to Contradict what might be esteemed honorable to this Crown. But those, who Judge all the advantages above mentioned might not arise to us, from having an interest in a plantation under the protection of the Crown



of *England*, are under great mistakes; yea as things now stands, it is more advantageous to us, if it be Considered.

1. That, tho it be under a different respect, Yet we are still under the same Monarch, as if the Plantation belonged to the Crown of *Scotland*. 2. The protection is much more sure and considerable from *England*, whose interest oblige them, because of the great advantage yearly comes in to them from thence, to see to the Protection of the forraigne plantations, and all of these lying upon the main Continent being contiguous, no encroachment can be made upon part without endangering of the rest: And for the capacite of defence, there is no need of Comparison; *Scotland* having no ships of warre upon the publick accompt, and it's pollicy not lying in that Method. If the scruple be, that any think there are things uneasy in the Laws of *England*, that are better with us, There is thence no occasion of being strainted, for, as will after appear, the Plantation here proposed, bes that Latitude in the Patent, that they are not tyed to the Laws of *England* so particularly, but they may let fall what they think inconvenient, and take of *Ours* what seems to contribute more to their advantage.

There would this visible disadvantage besides fall out, if the Plantation were disjoyned from the *English* Dominions, that by the act of Navigation we would be debarred from trade with the other *English* Plantations, which would be a verie great prejudice. But no disadvantage on the other part does come, for we can be allowed to carry over as many people as we please, with their Cloathing, and necessaries, which is the chief thing whereby advantage would come to *Scotland*, in the accommodating of people of several sorts, as We observed before. And the goods which are of most Value, and most necessary there, are such things as our Countrey affords most plentifully, such as all sorts of Wollen and Linnen-Cloath, and the like; so that there is occasion for Export of our Commodities, and the trade of *Scotland* consists much more in that, then in Import; there being not that occasion here for Consumption of forraigne Commodities, and the product of the Plantations there not being Suggar or any Store of Tobacco, is not fit to be imported in *Scotland*: So that the product of the Plantation coming to *England*, according to Law, if the money be from thence remitted to us for the transport of People and our Commodities, it will make a Circulation of Trade as advantageous for us; Yea, more then if returns come straight home, which would not so soon afford money in *Scotland*.

It is true if trade were absolutely as free 'twixt *Scotland* and there, as in *England*, it might be an encouragment to *Scots* Shipping and Sea-

men. But for that, it may be answered, that Ships built in the Plantations (where there is great conveniency for building of Vessels) will be free to come to *Scotland*, as well as any other *English* Ships; and 2, part of the Sea-men being Inhabitants of the Plantation who by dwelling there are *Denizens* of *England*, satisfies the Law; So that, tho the Ship be not a *Scots* Ship, yet it may belong to *Scots-men* dwelling in the Colloinie, and sailed with Sea-men belonging thereto,

It is time now to show how some of our Country-men, in order to so advantageous a Project, have already purchased an considerable Interest in a Plantation, which is justly esteemed not Inferiour, if not beyond any place, upon the whole continent of *America*, belonging to the *English* Dominions, called *East-New-Jersey*. The deduction of the right of it is thus,

The KING by Patent to the Duke of York, granted a great tract of Land lying betwixt *Virginia* and *New-England*. It was formerly in the hand of the *Dutch*, and Considerably improved by them, and called *New-Netherlands*, And by treaty after the first *Dutch* Wars, Surrendred to the King that part of it, lying betwixt *Delaware* and *Hudsons River*, called *New-Cesaria*, or *New-Jersey*; which is betwixt the 39 and 41 Degree of Northern Latitude: Was by the Duke of York granted to John, Lord Barkly, and Sir George Cartwright. That part, which belonged to the Lord Barkley, being assigned to Edward Billings. Afterwards by a Deed of Partition betwixt the said Edward Billings and Sir George Cartwright, The West Part, lying upon *Delaware River*, was allotted to Edward Billings for his share, and the East part, lying upon *Hudsons River*, nearest to the Province of *New York*, was appointed to Sir George Cartwright for his share. Which part, now called *East-New-Jersey*, is from Sir George Cartwright conveyed to twelve Persons in and about London, who have since conveyed an half to other twelve, so that as well the Right of Government as the Soyl, standeth now in 24 Proprietors, in favours of some of whom, the Duke of York has been lately pleased to make a new grant of Confirmation, both of Soyl and Government to the 24 Proprietors, with the same Powers and Priviledges, he has in his Patent from the King, which are as large as any other Plantation hath, for the Words of the Dukes Patent are as followeth;

The Patent from the KING, to JAMES Duke of York, &c.

CHARLES the Second, By the Grace of GOD, King of England, Scotland, France and Ireland, Defender of the Faith, &c, To all Men to whom these Presents shall come, Greeting, Know ye that WE, for diverse good Causes and Considerations, Us hereunto moving, have of



Our special Grace, certain Knowledge, and meer Motion, Given and Granted, and by these Presents for Us, Our Heirs, and Successours, Do give and grant unto Our dearest Brother JAMES Duke of York, his Heirs and Assignes, All that part of the Maine Land of New-England, beginning at a certain place, called or known by the name of Saint Croix, next adjoyning to New-Scotland in America, and from thence extending along the Coast, unto a certain place called Pemaquin, or Pemaquid, and so up the River thereof, to the farthest Head of the same as it tendeth Northward, and extendeth from the River Kennebec, and so upwards by the shortest course, to the River of Canada Northward; and all that Island or Islands commonly called by the several name or names of Mattawax, or Long-Island, situate and being towards the West of Cape-cod, and the narrow Heggansets, abutting upon the main Land between the two Rivers, there called or known by the several or names of Conectecute and Hudsons River, together also with the said River called Hudsons River, and all the land from the West-side of Conectecute River to the East-side of Delawar Bay; And also all those several Islands, called or known by the name of Martins-Vineyard, and Hantuckes, alias, Hantuckett; together with all the Lands, Islands, Soyls, Rivers, Harbours, Mines, Mineralls, Quarreys, Woods, Marshes, Waters, Lakes, Fishing, Hawkings, Huntings, and Fowlings, and all other Royalities, Profites, Commodities, and Hereditaments to the said several Islands, Lands and Premises belonging and appertaining, with their and every of their Appurtenances; and all Our Estate, Right, Title, and Interest, Benefit, and Advantage, Claime and Demand of, in, or to the said Islands or Premises, or any Part or Parcel thereof, and the Reversion and Reversions, Remainder and Remainders, together with the Yearly and other Rents, Revenues and Profits of the Premises, and every Part and Parcel thereof; To Have and to Hold all and singular the Lands and Premises, with their, and every of their Appurtenances thereby given and granted, or herein before mentioned to be given or granted, unto Our said Dearest Brother, JAMES Duke of York, his Heirs and Assignes for ever. To be Holden of Us, Our Heirs, and Successours, as of Our Mannour of East-Greenwich in the County of Kent, in free and common Soccage, and not in Capite, or by Knights Service, Yeilding and Rendering. And the same JAMES Duke of York, for himself, his Heirs and Assignes, DOTH Covenant and Promise to yield and render unto Us, Our Heirs, and Successours, of, and for the same yearly, and every year, Fourty Beaver-skins, when the same shall be demanded, or within ninety dayes after such Demand made. And We do further of Our special Grace, certain Knowledge, and meer Motion, for Vs, Our Heirs, and Suc-

cessours, give and grant unto Our said Dearest Brother, JAMES Duke of York, his Heirs, Deputies, Agents, Commissioners and Assignies, by these Presents full and absolute Power and Authority, to Correct, Punish, Pardon, Govern and Rule all such the Subjects of VS, Our Heirs and Successours, or any other Person or Persons, as shall for time to time adventure themselves into any the Parts or Places aforesaid; Or that shall or do at any time hereafter Inhabit within the same, according to such Laws, Orders, Ordinances, Directions, and Instructions, as by Our said Dearest Brother, or his Assignes shall be Established, and in defect thereof in cases of necessitie according to the good Directions of his Deputie Commissioners, Officers, or Assignes respectively, as well in cases and matters Capital, and Criminal, as Civil, and others; so always as the said Statutes, Ordinances, and Proceedings be not contrary to, but as near as may be agreeable to the Laws, Statutes, and Government of this Our Realm of England; AND Saving and Reserving to Us, Our Heirs, and Successors, the Receiveing, Hearing, and Determining the Appeale, and Appeales of any Person or Persons, of, in, or belonging to the Territories or Islands aforesaid, or touching any Judgement or Sentence to be there made, or given: And further, that it shal and may be Lawful to and for our said Dearest Brother, his Heirs, and Assignes, by these Presents, from time to time, to Nominate, Make, Constitute, Ordain, and Confirm such Laws, as aforesaid, by such Name, or Names, Stile or Stiles, as to him or them shal seem good: and likewise to Revoke, Discharge, Change, and Alter, as well all and singular Governours: Officers, and Ministers, which hereafter shall be by him or them thought fit and needful to be in, or used within the aforesaid Islands and Parts: and also to Make, Ordain, and Establish all manner of Laws, Orders, Directions, Instructions, Formes, and Ceremonies of Government and Magistracy fit and necessarie for, and concerning the Government of Territories, and Islands aforesaid. So always as the same be not contrary to the Laws and Statutes of this Our Realm of England, but as near as may be conformable thereunto, and the same at all times hereafter to put in Execution or Abrogate, Revoke, or Change, not only within the precincts of the said Territories or Islands, but also upon the Seas in going and coming to and from the same, as he or they in their good Discretion shal think fittest for the good of the Adventures and Inhabitants. AND We do further of Our special Grace, certain Knowledge, and meer Motion, Grant, Ordain, and Declare, that such Governours, Deputies, Officers, and Ministers, as from time to time, shall be Authorized, and appointed in manner and form aforesaid, shal and may have full power, and Authority

*within the Territories aforesaid, to use and exercise Martial Law, in cases of Rebellion, Insurrections, and Mutiny, in as large and ample a manner as our Lieutenants in our Countries within Our Realm of England, have, or ought to have, by force of their Commissions of Lieutenancy, or any Law, or Statute, of this our Realm. AND We do further, by these presents for us our Heirs and Successors, grant unto our Dearest Brother JAMES Duke of York, his Heirs and Assignes, that it shall and may be Lawful to and for the said James Duke of York, his Heirs and Assignes, in his or their Discretions, from time to time, to admit such and so many person or persons, to Trade and Traffique into and within the Territories and Islands aforesaid, and to every and any part and parcel thereof, and to have, possess, and enjoy any Lands, and Hereditaments in the part and places aforesaid, as they shall think fit, according to the Laws, Orders, Constitutions, and Ordinances, by our said Brother, his Heirs, Deputies, Commissioners, and Assignes, from time to time, to be made and established, by vertue of, and according to the true intent and meaning of these presents, and under such Conditions, Reservations, and Agreements, as our said Dearest Brother, his Heirs and Assignes, shall set down Order, Direct and Appoint; and not otherwise, as aforesaid. AND We do further, of Our special Grace, certain Knowledge, and meer motion, for US, Our Heirs, and Successors, Give and Grant, unto Our said Dearest Brother, his Heirs and Assignes, by these presents, that it shall and may be Lawful to, and for him, them, or any of them, at all and every time or times hereafter, out of any of Our Realms, or Dominions whatsoever, to take, load, carry, and transport, in, and unto their Voyages, for and towards the Plantations, of our Territories and Islands aforesaid, all such, and so many of our loving Subjects, or any other Strangers, being not Prohibited or under restraint, that will become our loving subjects, and live under our Allegiance, and shall willingly accompany them in the said Voyages, together with all such Cloathing, Implements, Furniture, or other things usually Transported, and not Prohibited, as shall be necessary for the Inhabitants of the said Islands, and Territories, and for the use and defence thereof, and Man-aging, and carrying on the Trade, with the People there. Yeelding and paying unto Vs, our Heirs and Successors, the Customes and Duties thereof, due and payable, according to Laws and Customes of this Our Realm. And We do also for Us, our Heirs and Successors, grant unto Our said Dearest Brother JAMES Duke of York, his Heirs and Assignes, and to all and every such Governour or Governours, or Deputies, their Officers, or Ministers, as by our said Brother, his Heirs or Assignes shall be appointed, to have*

*Power and Authority of Government, and Command in, and over the Inhabitants of the said Territories, and Islands, that they and every of them, shall, and may lawfully, from time to time, and at all times for ever hereafter, For their several Defence and safty, Encounter, Repulse, Expel, and Resist, by force of Armes, as well by Sea, as by Land, and all wayes, and means whatsoever, all such Person and Persons, as without the special Licence of our Dearest Brother, his Heirs and Assignes, shall attempt to Inhabite within the several Precincts, and Limits, of our said Territories and Islands; and also all, and every such Person, and Persons whatsoever, as shall Enterprize, and Attempt, at any time hereafter, the Destruction, Invasion, Detriment, or Annoyance, to the parts, places, or Islands aforesaid, or any parts thereof. And Lastly, Our will and pleasure is, And We do hereby declare, and grant, that these our Letters Patents, or the Inrollment thereof, shall be good and effectual, in the Law, to all intents, and purposes whatsoever, notwithstanding the not well, and true Reciting, or mentioning of the premisses, or any part thereof, or the Limits, or Bounds thereof: or of any form, or other Letters Patents, or Grants whatsoever made, or Granted of the premisses, or of any part thereof, or the Limits or bounds thereof, or of any former, or other Letters Patents, or Grants, whatsoever made, or granted, of the premisses, or of any part thereof, by US, or any of Our Progenitors, unto any Person, or Persons, whatsoever bodies, Politique, or Corporate, any other Law or other restraint, in certainty, or imperfection, whatsoever, to the contrary in any wise notwithstanding. Although, express mention of the true yearly value, or certainty of the premisses, or any of them, or of any other Gifts or Grants by Us, or by any of our Progenitors heretofore made to the said James Duke of York, in these presents, is not made, or any Statute, Act, Ordinance, Provision, Proclamation, or Restriction heretofore had, made, enacted, or provided, or any other matter, cause, or thing whatsoever to the contrary, in any wise notwithstanding: In Witness whereof, We caused these Letters, to be made Patents, Witness, Our Self, at Westminster, the 29. day of June, in the 16. Year of Our Reign.*

The SCOTS Proprietors are, James, Earl of *Pearth*, John Drummond of *Lundy*, Lord Treasurer Depute, Sir George Mackenzie, Lord Register, Robert Gordon of *Cluny*, Arent Sonmans (a Dutch-man, but interested with the SCOTS Proprietors) Robert Barkley of *Vrie*, Robert Burnet of *Lethenty*, Gavine *Laurie*; Seven parts of the 24. belongs to these Persons, which, by the most modest Calculation, is thought, will be near *Five hundred thousand Acres*.

This Province or Collony lyes betwixt 39 and 41 Degrees of Latitude, being about 12. Degrees



more to the *South*, than the *City of London*. It is in the same Climate with the Kingdom of *Naples*, and *Montpelier* in *France*. The Summer is hotter, and longer then in *England*, and the Winter colder and shorter, the days about an hour longer in Winter, and as much shorter in Summer. Is bounded *South-East* with the *Maine Sea*, *East* by that vast Navigable Stream, called *Hudsons River*, which divides this from the Province of *New-York*, *West* by a Line of Division, which separates this Province from *West-Jersey*, and *North* upon the *Main Land*. And Extends it self in length upon the *Sea Coast* and alongst *Hudsons River*, one hundred *English Mylls* and upward.

The Situation of this Countrey is just, as it were, in the Center of the *English Plantations* in *America*, betwixt the *South* parts of *Carolina*, which is over hot; and the *North* parts of *Pemacquitte*, next *New Scotland*, which are coldest; so that its Conveniency of situation, temperature of the Aire, and fertilitie of the soyl is such, that there is no less than seven towns considerable already, (*viz.*) *Shreutsbury*, *Middletown*, *Berghen*, *New-crank*, *Elizabeth-town*, *Wobbridge*, and *Piscataway*, which are well inhabited, by a sober and industrious People, who have necessary Provisions for themselves, and families, and for the comfortable entertainment of Travellers, and Strangers.

And the Quittrents, or Fewes (as they are here called) of these Towns and other Plantations, already in the Countrey, yeelds to the 24 Proprietors above 500 *lib.* sterling, yearly Revenue, and the Air of this Collony, is experimentally found generally to agree well with *English Constitutions*, and Consequently with Ours.

For Navigation, it hath these advantages, not only to be situate along the Navigable parts of *Hudsons River*, but lyes also fiftie Mills along the *Maine Sea*, and near the Midest of this Province is that noted Bay for Ships within *Sandy-Hook*, very well known, not to be inferiour to any Harbour in *America*, where Ships not only harbour in greatest storms, but there Ryde safe with all Winds, and Sail in and out thence as well in *Winter* as *Summer*. For Fishery, the Sea-banks are very well Stored with variety of Fishes, not only such as are profitable for Exportation but such as are fit for Food there; There are *Whales*, *Codd-fish*, *Cot* and *Hake-fish*, and *Large Mackeril*, and also, many other sorts of Small and Flate-fish; The Bay, also, and *Hudsons River*, are plentifully stored with *Strugeon*, and other *Seal-fish*, *Ells*, and *Shel-fish*, as *Oysters*, in abundance.

This Countrey is also plentifully supplied with Lively-springs, *Rivolets*, *Inland-Rivers*, and *Creeks*, which fall into the *Sea*, and *Hudsons River*, in which also there is varietie of Fresh-fish, and water Fowl.

There are little hills from *Rariton-River*, which is about the middle of this Province, that go to the verie *North-West-bounds* of it, in which are abundance of good Mill-Stons to be had, and there is many, both *Corne*, and *Saw-milnes* set, and setting up already, also, on the other Side of these Mountains, there is brave fresh *Rivolets*, fit for setting of *In-Land-Towns*, and a great deal of Meadow-ground upon the banks thereof, So that there is abundance of Hay to be had for Fodering of Cattle in the Winter time, and these Meadows shows the Countrey is not altogether covered with timber.

Its true, the first difficulty, meets people in Planting there, is the cutting down Wood (Tho having some Meadow intermixt already well covered with Hay, is a great ease) yet the trouble is compensated by the advantage, which the timber being cut down, yeelds, being good Oake, fit for Shipping, and Masts; and also, Chesnute, Walnut, Poplar, Cedar, Ash, Firr; And also, by the fertility of the Soyl, being cleared, which yeelds a vast increase, not only of *Indian Corn*, which is a very wholesome Food, but of *English* grain, as Wheat, and Barley, whereof it usually yeelds betwixt the 20. and 30<sup>th</sup> fold, and with fare less labour (the Timber being once removed) then in *Britain*. And to shew the labour of cutting down the Trees, and clearing the ground, is not so great as some may Imagine, It is known by experience, that two men ariving there in *September*, or *October*, may clear as much ground, as usually brings by Harvest following twenty Quarters, that is about 40 *Scots Bolls* of grain.

This Countrey also, produceth good Flax, and Hemp, which they now spine, and Manufacture into Linnen Cloath, and the very *Barrans* there (as they are called) are not most in *Brittain*, but produceth Grass fit for Grazing Cattle in Summer time; There is also upon Ground (already cleared) store of good *English Clover-Grass* growing, the Countrey is well storid with wild Deir, Connies, and wild Fowl of severally sorts; As Turkeys, Pidgeons, Partridges, Plevers, Quails, wild Swans, and Geese, Ducks, in great plenty; It produceth variety of good and delicious Fruits, as Grapes, Plumes, Mulberries, and also; Appricocks, Peaches, Pears, Apples, Quinches, Water-Millions, which are in *England* planted in Orchards, and Gardens; but grew there with fare less labour, and many more Fruits, which come not to perfection in *England*, are the more natural product of this Countrey. It is thought Olives would grow well there, and being store of Mulberrie-Trees, Silk-Worms would do well there; for they were tried in *Virginia*, and proved very well, if the laziness of the People, and there being wholly set upon Tobacco, and the Interest of Merchants, who were afraid it might spoil there Silk-Trade from the *Straits*, had not hindered



To shew how Fruit-Trees do advance in that Countrey, it is credibly reported, that about *Burlington*, in *West Jersey*, which is more *North-erly* then the greatest part of this Province, from an Apple-tree-Seed in four years, (without grafting) there sprung a tree, that in the fourth year bore such a quantitie of Apples, as yeelded a barrrell of Syder.

There is there also, great store of Horses, Cowes, Hoges, and some Sheep, which may be bought at reasonable pryces with *English* money, or *English* Commodities, or mans labour; where goods and mony are wanting.

For Minerals, It is thought there are not wanting of several sorts, For there is an Iron work already set up, where there is good Iron made; And also, there is discovered already abundance of Black-Lead.

It is exceeding well furnished with safe, convenient Harbours, for Shipping, which is of great Advantage, and affords already for exportation, great plenty of Horses, and also Beef, Pork, Pistaves, Bread, Flower, White, Barly, Rye, *Indian* Corn, Butter, and Cheese, which they export for *Barbadoes*, *Jamaica*, *Mevis*, and other adjacent Islands; As also to *Portugal*, *Spaine*, and the *Canarys*. their *Whale-Oyl*, and *Whale-Fines*, *Beaver*, *Mink*, *Racon*, and *Martine-skins* (which this Countrey produces) they transport for *England*.

The *Indian* Natives in this Countrey are but few, Comparative to the Neighbouring Collony, And these that are there, are so from being formidable, and injurious to the Planters, and Inhabitants, that they are really serviceable, and advantageous to them, not only in hunting, and taking the Deer, and all other wild Creatures, and catching of Fish, and Fowl fit for food, in their seasons; but in the killing and destroying of Bears, Wolves, Foxes, and other Vermine; whose skins and furrs they bring the *English*, and sell at less pryce, then the value of time that people must spend to take them. Like as, that this Collony may be founded in Justice, and without any thing of Oppression, as all that is already Planted, is truly Purchased from the *Indians*, so there is a great deal more of the Province cleared by their consent, and all is intended by paction with them to be obtained, so that whoever Purchase, or Plant under the Proprietors, shal be freed of that incumbrance; and if there were any hazard from the *Indians*, as really there is none, yet this Province could hardly be in any danger, In respect that to the *North*, upon the *Main-Land*, from whence the hazard, if any must come, the Province of *New-York* comes betwixt it and them, and 20. miles and more, above upon *Hudsons* River, there is a Fort called *New-Albany*.

There were Constitutions of Government made by the Lord *Barkley*, and Sir *George Cartwright*,

in which such provision was made, both for Liberty of Religion, and Propertie, that the Province hath been considerably Peopled, and many resorted there from the Neighbouring Collonies, so that the Planters are able already to Muster 500 well armed Men.

There are already 3. of the 24. Proprietors, gone upon the place, and 2. goes this Summer from *Ireland*, these already arryved, have been cheerfully received by the Inhabitants, and submitted to, the Houses belonging to the Proprietors, put in their possession, and publick Records delivered them, and have received address from the Inhabitants, wherein they promise to stand to, and defend the Proprietors, with their Lives and Fortunes: One of these Proprietors Bears the Character of *Depute Governour*, and another of *Surveyor General*, and Receiver of the *Quittrents*.

There is Order given that in the several most convenient Places, *Ten thousand Acres* be set out to each of the 24. Proprietors to them to sell, set out, or dispose of, as they please; and when that shall be any ways Peopled or brought in, then the Proprietors will either jointly sell out the rest, or make a new Divident, as they find most convenient, for it is probably believed, according to the most equal Conjecture, that every 24. part will contain 80000 *Acres*.

The Proprietors have framed a new Schem of Government, which is not yet fully concluded one, but is intended rather to be an enlarging, than an abbreviating of the former, and making it more easie, and advantagious for the Inhabitants, the Chief parts of it are;

That the 24. Proprietors shall chuse a Governour, 16. of them has a Conclusive Vote in it, after the death of him now chosen, he shall continue but for 3. years, and be lyable to the Censure of the Proprietors, and great Counsel, and punishable if he transgress. There is a great Counsel to meet once a year (and sit, if they see meet, for 3. Moneths) consisting of the 24. Proprietors, and 48. chosen by the Planters, and Inhabitants, two thirds Conclude, the one half of the Proprietors assenting; and no money can be raised, or Law made, to touch any mans Libertie or Property, but by this Counsel. There is a Common Counsel to sit constantly, Consisting of the 24. Proprietors, or their Proxies, and nine chosen out of the Representatives of the Planters, in all 33. to be divided into three Commities; 11. to each, one for the Publick Policie: One for the Treasure and Trade, and one for Plantations.

To aviod Lording over one another, No Man can purchase above the 24th. part of the Countrey; And on the other hand, least any should squander away their Interest, and yet retain the Character of the Government, that belongs to Property, and thence be capable to betray it, as

not being bound by Interest, there must be a suteable quantity retained, otherwise the Title in the Government extinguishes in him, and passes to another, to be Elected by the Proprietors, that *Dominion* may follow *Property* and the inconvenience of a *beggarly Nobility*, and *Gentry* may be avoided.

No man can be judged in any cause, either Civil, or Criminal, but by a Jury of his Peers, and to avoyd in that all Caballin, the names of all the County or Neighbour-hood, capable to be Chosen, are to be write in Little pieces of Parchement, and the number of the Jury to be taken out by a Child under 10. years of age, And the proprietors as well as others are to be Lyable to the like tryall, and not under any Exception.

Libertie in matters of Religion is established in the fullest manner. To be a Planter or Inhabitant, nothing is more required but the acknowledging of one *Almighty GOD*, and to have a Share in the Government, A simple profession of faith of Jesus Christ, without descending into any other of the differences among Christians, only that Religion may not be a cloak for disturbance, whoever comes into the Magistrature, must declare, they hold not themselves in Conscience obliged, for Religions sake, to make an alteration, or to endeavour to turn out their partners, in the Government, Because they differ in Opinion from them, and this is no more then to follow that great Rule, *To do as they would be done by.*

These are the fundamentals, which are not alterable by any act of the great Councill, as other things, by these voices of 2. thirds, but only by an universal agreement; so it is hoped, that this hint will satisfie all sober and understanding people, what Encouragement such a Government may give.

For the matter of Purchase, It may be by purchasing a whole proprietie, or a half, in which several persons may joyn, and tho the number be already filled up, yet if any persons here, offer to the proprietors, of whose Integrity and Industrie they are satisfied, they might use means to make room for them, and albeit the pryces be much advanced within this year, yet, it may be made appear, that a purchase of a Propriety may be had here more easily, then any of the Neighbouring Plantations.

These that are not disposed, or have not Stock for such a purchase, may buy a certain number of *Acres* from any of the Proprietors, as a part of the 10000. to be set out to each of them this Summer; and, tho the price of that may seem higher, then what is usually talked of in some other Plantations, yet, considering he choice of the Land, and the advantages of scituation for Trade, with the consideration of its being so well Peopled already, which is the chief thing

makes Land valuable, (for in a Wilderness a great dail of Land signifies little) It will be found a good Bargain, and a very modest price, to give a 100. *lib. sterling* for 500. *Acres*, at which Price it may be afforded any time before the first of *October* next, and not afterwards.

The Proprietors have also Ordered to be set out upon a place, called *Ambo point* (which has a good and convenient Harbour, and a pleasant and wholesome place) 1500. *Acres* for to build a Town, this is to be divided into 150. Lots, and every Lot is to consist of ten *Acres*, and is to be sold at 20. *lib. sterling*, provyding it be done before the first of *July* next, before the ship go from SCOTLAND; For, after that time we cannot promise to accommodate any, least all be taken up, for many are offering upon the place; and the Proprietors intend to have each a house built there, upon their own Account this Summer; now this will be found a very good Bargain, considering there is 300 of the 1500. *Meadow* ground, so that each lot is like to have 2. *Acres* of *Meadow* ground belonging to it, which is of great value.

For *Husband-men* that hes a Stock, able to transport themselves and Families, with a few Servants, and to have but a 1000. pound Scots, or a 1000. Merks more, to carry over in Commodities, they shall have upon their arrivall 100 *Acres* of good ground, measured out to them, or above, not exceeding 500. *Acres*; And for their incouragement, shall for the first 7. years pay nothing, and then have what they please, not under 100. nor exceeding 500. *Acres*, confirmed to them, and their heirs for ever, paying half a Crown an *Acre*, never to be raised upon them; And for the Charge of the first year, they may easily Calculate it, by carrying over as much *Oat-meal*, as will serve them *Bread*, and the freight will be inconsiderable, and they will get flesh enough in the Countrey for killing, without charge, and will be able to clear more ground the first winter, then will double serve their Families after the first harvest, so that they will only have to buy with the Commodities they carry over with them, Seed, and Beasts.

The Charge of transportation, is, for every Man and Woman 5. *lib. sterling*, passadge and intertainment, for Children under 10. years of age, 50. shillings and Sucking Children nothing, 40. shillings for the tunne of goods, and often under.

The Voyage is Judged lesse Sea hazard then either to *Holland*, or *London*, and if there be any tollerable winds, it is easily made in 6. weeks, There went a ship last harvest to *West Jarsey*, from the Road of *Aberdeen*: and they came to *Delaware-River-mouth* in 8. weeks, though they had great Calmes, and of betwixt 30. and 40. passengers that out of *Aberdeen* several women, and Children, not above 4. of them had been at



Sea before, not one dyed, nor was sick by the way.

For ordinary servants, who are willing to go over, after 4. Years service from the time of their arryvall there, (during which time they shall be well entertained in meat and Cloathing) they shall have Set out to each 25. Acres to them and theirs for ever, payment 2. pence an Acre, as much Corne as will sow an Acre, and a Sute of now Cloaths; Now, Consider that there is 5. pound Sterling payed for their passage, this is good termes; and that after the terme of their Service is expired, they will gain more in one year there, then they can do in two at home, towards the gaining of a Stock to their land, and it may be easily conceived ed that they will be well treated by their Masters, since it is their Interest to do so there more then here, for that they would be Considerable Losers, either by their Death, or sickness, being out so great an advance for them, if, by any hardship, they should be disabled to serve out their times.

All Sorts of Tradesmen may make a brave Livelyhood there, such as *Carpenters, Shipwrights, Rope-makers, Smiths, Brick-makers, Taylors, Tanners, Cowpers, Mill-wrights, Joyners, Shoemakers, &c.* and any such like, who are willing to go serve the four years, not having to transport themselves, shall in Consideration of their Trade, have (after the expiring of their Service) 30. Acres, at 2. pence the Acre, as much Corn as well sowe 2. Acres, a Cow and a Sow: And for the encouragement of any such Tradsmen, who are willing to go over and transport themselves, they shal have the like quantitie of Land, at the same rent, and the Proprietors will oblige themselves to find them work for a year, after their arryval, at as good Rates as they can have here, untill they furnish themselves with some Stock to make better advantage upon the place.

We will not encourage any to go there in expectation of Gold and Silver Mines; yea, tho there were such in the Countrey, We should not be curious nor industrious to seek them out: being, besides the Toyl, and Labour, but occasions of envy, and Emulation: Nor, yet is there Suggar or Indigo there, or Cotton, nor any store of Tobacco, tho it grows there very well, But We consider it not our interest to imploy much ground on it; The Riches of this Countrey Consists in that which is most Substantial and necessary for the use of man, *to wit*, plenty of Corn and Cattle (and they have besides Vines, and Fruits in abundance, as before has been said) so that who dwell here, need not to be obliged to any other Plantation, for any thing necessary, for life; and all the other Plantations are beholden to them for necessarys, without which, their other Curiosities would little avail them: This, with the Province of *New-York*, being the *Granary* or *Store-house*

of the *West-Indies*, without which *Barbadoes* and the *Lee-wards-Islands*, could not subsist: Yea, *New-England* is forced to come there every year for Corn, this, with the advantage of Fishery, being Considered, will easily induce sober and industrious People, to prefer a Plantation here to most other places.

There will a Ship go from *Leith* about *Mid-Summer* next, which will also call at *Aberdeen*: such as desire to be more fully informed, or to treat with any of the Proprietors, may address themselves to *Andrew Hamiltouns*, at the sign of the Ship, over against the Court of Guard, in *Edinburgh*; or at *David Falconers, Merchant* there, who will either give them satisfaction, or find them occasion to treat with some of the Proprietors. Also, at *Aberdeen*, information may be had from *George Pyper*, and *Thomas Mercer*, who will be heard of at *Robert Gerards*, or *John Leitch*, their Shops in the *Broad-Gate*.

F I N I S .

#### VI.—HOW HISTORY IS WRITTEN, NOW-A-DAYS.

*The Boston Daily Evening Transcript*, of the eighth of February, has bravely told, without blushing, how our history as well as that of the French is being transmitted to future ages, by “the ‘great’ men of this generation.

We thank it for thus unwittingly exposing the frauds which are demoralizing if they are not “denationalizing” our country and our age; and we thank it, also, for the admirable consistency with which it has boldly apologized for falsehood in one issue and as fearlessly and approvingly recorded the practise of it in another. It has not a word of censure or disapprobation for the “great ‘historian of France’” who reads nothing, or next to nothing, but a table of dates, and who “writes ‘his book LIKE A NOVEL’”; while for Mr. Carpenter who “*thought* THE POPULARITY of *his work* ‘*would be injured*’” by telling the truth, and so deliberately recorded a falsehood, it has had column after column of praise.

The faithful, conscientious Historian, the uncompromising lover of Truth and hater of Falsehood, can very well dispense with the approval of such a Censor: its condemnation will be his best reward.

The words of *The Transcript*, adopted by it and adapted to its readers’ tastes, are as follows:

#### I.

“— How to write history is thus told by a *great* ‘historian of France’: ‘I prepare, in the first place,



"a table of all the events, the great as well as the small, with the verified dates—the dates not only of the years, but of the months and days; this is the longest and most minute part of my labor. Then I efface from my mind all current and preconceived opinions; I consider my dated facts; I see their connection; I feel the progress of events, and I write my book like a novel."

## II.

"SECRET HISTORY OF A PICTURE.—When Mr. Carpenter painted his well-known picture of the *Deathbed of Lincoln*, the figure of Andrew Johnson was one of those gathered about the couch of the dying President, and very justly, for he *was really there with the members of the Cabinet and others*. Before the finishing touches were given to the picture, public opinion had so changed in the North respecting the new President, that the artist thought the popularity of his work would be injured by the prominence of the Chief Executive in the painting. So believing, he erased President Johnson and inserted Schuyler Colfax in his stead. Thus the picture remains: very few knowing how the Speaker of the House chanced to be one of the spectators of President Lincoln's death, artistically, WHEN IN REALITY HE WAS NOT PRESENT."—*N. Y. Eve. Gazette*.

The time was when it could be said, even in monarchical England,

"Either our history shall, with full mouth,  
 "Speak freely of our acts; or else our grave,  
 "Like Turkish mute, shall have a tongueless mouth,  
 "Not worship'd with a waxen epitaph":

that time, if it ever existed in Massachusetts, seems to exist there no longer. H. B. D.

MORRISANIA, N. Y.

## VII.—SELECTIONS FROM PORTFOLIOS IN VARIOUS LIBRARIES. (CONTINUED.)

### 14.—GEORGE WASHINGTON TO JAMES MERCER.\*

MOUN VERNON Dec<sup>r</sup> 26<sup>th</sup> 1774

DEAR SIR,

I do not recollect whether, in my last, I informed you that it was £29. you gave for the negro Kate, & that the whole of your purchases in Frederick Amounted to £2385. 14. 2; If I did not then do it, these will be found right, & agreeable to the original Entries—

\* From the original in the collection of Francis S. Hoffman, Esq., of New York City.

I have heard nothing yet from Col<sup>o</sup> Payton, respecting those Lands which you appear charged with at the Loudoun Sale—there is no doubt, I presume of Combs or others taking them of your hands—if there be, the Sums bid for them, will require to be added to your acct.—

I cannot say but that I should have liked to have had 1224 acres of Land warranted to me, instead of your granting 1200 acres more or less; for as it was upon the presumption that the Tracts of Gray & Adams contained this quantity, clear of disputed bounds, that I agreed to give the price I did; so, if it falls short (I mean more than is generally allowed for Variation of Instruments) I shall not much like; or indeed think myself bound by it; and am inclined to think as Mr. Carlyle also does) that Hough must have made some mistake in his Measurement as the original Patents to Adams and Gray together; contain no more than 1168 acres, whilst it appears that Adams Patent runs into Grays; and one half; or near it of Grays is taken away by Strutfields; notwithstanding all which Hough you say (for I have no Plat, or report of his) makes 56 acres more than is granted by both Patents; at the same time that he differs but little (I perceive by your Plat) from the original Courses & distances.—

I do not pretend either; to be well acquainted with the phrases which constitute a general Warranty but the words made use of by you, for this purpose, are not so strong and emphatical as I have generally observed upon these occasions; which usually run in some such manner as this—"from the claim; or claims of any Person or persons whatsoever the said his —, his heirs &c. doth warrant, and will forever defend" Your Covenant may, for ought I know be Tantamount, although no such expressions are used, and therefore, I shall say nothing further on this head.—

It was my Intention to have run round the Lines of these Tracts, and tried the Contents of them myself; but I have never been a day well since my return from Frederick, nor a day without Company.—If you have Adams conveyance, I should be glad to be furnished with it when you send the copy of the power of Attorney, to McCoul & Blair, as I have no paper relative to this Land, except an unattested copy of the Proprietors Deed to him.—

I have wrote to your Brother since I came home—I intended a short Letter, just to advise him of the amount of the Sales, but insensibly run into a long one,—Inclosed is a Copy of it, as also of the two queries which he seems anxious for your answering—the reason of my repeating them to you, now, being that they are again urged to me in a Letter from Mr. Montagu—if you choose to answer them, it may be by way of

Letter to me, which I can Inclose to your Brother—It was for this reason, I have furnished you with my preparatory Letter

As y<sup>e</sup> quantity of wheat threshed at Marlborough, agreeably to your Letter of the 13<sup>th</sup> ins<sup>t</sup> is too much for a Load; and as the Holidays are at hand, & bad weather probably approaching, it will be out of my power to send for it very soon; indeed this will always be the case (which makes no material difference to me) if it cannot be got ready for delivery befor Christmas, it being difficult afterwards, to procure Craft till the Frosts are thought to be over in the Spring.

I have heard no person speak of the Sale of Cattle in Frederick but what thought it a great one—I have mentioned the average price to no one Since but what thinks I might buy for much less, & although I do not dispute, as I have never seen the goodness of your Cattle at Marlborough, yet give me leave my friend, to tell you, that you are too sanguine in your expectations, in matters of this sort—It is not my intention to buy at high prices, as I am in no immediate want—my design, as I raise a great deal of Provender was to stock my Plantations more plentifully than they are, if I could purchase upon terms as I liked; & hearing you talk of selling Cattle from Marlborough, I thought it might answer both our purposes; but you are to observe that, if your Bond upon delivery of the Cattle, is to have a credit for the amount of y<sup>e</sup> Sale, it is, to all intents and purposes, a ready money Sale to both us; although no Cash is deposited—This, in fact, is the case in respect to the Land, which makes the £446 allowed for your moiety equal to £468. 6. 0. a year hence, to say nothing of the disadvantage attending ready money Sales; and is a circumstance I did not advert to—The kind of Cattle I should prefer, would be Cows & Heifers, as they would put me into a full stock the soonest; but when I wrote to you, on this Subject, my intention if we could agree upon terms, was to take of all you could spare of every kind; if the person I should send liked the Cattle at the price they should be offered, & found they were not the worse for having a parcel picked out for your Plantation use, for I would not be concerned with refuse Cattle at any rate.—

I find in order to lay your Brothers affairs fully befor him in my next, that it will be necessary for me to have Copies of both the reports made by the Commissioners, neither of which I have—as I think you spoke something of a Plan, when we were in Fred<sup>k</sup> together, of your committee being branched out to [ ] different purposes I shall be obliged to you for forwarding me a copy of your Resolution respecting the matter—a plan of this kind I am sure is necessary for us, and we may be beniftted by a Precedent

With very great esteem—and with the Compliments of the Season I remain

D<sup>r</sup>Sir yr. most obed Serv<sup>t</sup>

G<sup>o</sup>. WASHINGTON

[Addressed on outside:]

"Alex, 2. 16

"To

"James Mercer Esq—

"In

"Fredericksburg"

[The following indorsement appears on the back of this letter:]

"General Washington Dec 26. 1774.

"The Gen<sup>l</sup> then corresponded with Mr. Montagu the friend of Mr. Gravatt and brother of "Miss Wroughton thro' whom the power of Attorney originally came to George Mason John "Taylor, and the Gen<sup>l</sup> to sell G. Mercer's Estates in Frederic and Loudon.

"Moiety of four mile run land estimated at "£446 conveyed to the Gen<sup>l</sup> by J<sup>o</sup> Mercer in "discharge of John Mercer's debt to Custis—one "of the old debts Estimated in the Settlement between the Father and Sons at 2300£."

#### 15.—MESSRS. MASON AND DIXON AND OTHERS.\*

JO. SHIPPEN Esq<sup>r</sup>

SIR

Mr Dixon and Mr Mason have informed us that they are in want of Three Hundred Pounds to enable them to finish some public Business they have undertaken to do for the Royal Society. And we desire, as this request appears to us to be very reasonable, you would be pleased to advance them that Sum to be accounted for by said Mess<sup>rs</sup> Dixon & Mason on their Account with the Proprs. We are

Your most humble Serv<sup>ts</sup>

WILL: ALLEN

5 February 1768

RICHARD PETERS.

BENJAMIN CHEW

JN<sup>o</sup> EWING

To JO SHIPPEN Esquire Governors  
Secretary

Received at Philadelphia, the 10<sup>th</sup> February 1768, of Joseph Shippen Jun<sup>r</sup> the within mentioned Three hundred Pounds, on Account of our Wages in running the Division Lines, between Pennsylvania, and Maryland.

For Mr. Mason and myself

£300. 0. 0.

JERE: DIXON

\* From the original in the collection of Thomas Addis Emmet, M.D., New York City.

## 16.—MAJOR BENJAMIN TALLMADGE TO —.\*

HAVERSTRAW, Oct<sup>o</sup>. 4th 1780.

DEAR —,

I am thus far on my Return from H<sup>d</sup> Q<sup>rs</sup> where I have finished my last Duty to *poor Andre* of whom I wrote you particularly before. I have begged this scrap of paper of Gen<sup>l</sup>. Wayne (whose Brigade is at this place) to inform You that Major *Andre* was hanged on the 2<sup>d</sup> ins<sup>t</sup> 12 O'clock. His Conduct was unparelled on the occasion. He met death with a smile, cheerfully marching to the place of Execution & bidding his friends who had been with him farewell.

He called me to him a few minutes before he swung off and expressed his Gratitude to me for my Civilities in such a way & so cheerfully bid me adieu that I was obliged to leave the parade in a flood of tears. I cannot say enough of his fortitude—unfortunate youth! I wish Arnold had been in his place.

J. Smith is now under Tryal & I trust will receive his reward. Adieu

Yours sincerely  
BENJ<sup>N</sup> TALLMADGE

## 17.—GENERAL GREENE TO COLONEL WADSWORTH.†

MORRISTOWN June 17<sup>th</sup> 1780

DEAR SIR

I came to this place this morning; Since my arrival here, the General has forwarded me a letter with information that General Clinton is arrived. The Express that brings you this has letters for Governor Trumbull from the General, desiring a reenforcement of Militia at West Point, and a large supply of Provisions. What can I say to you, to urge you to involve your private affairs further, is ungracious, and unless there is great Individual exertion I foresee ruin awaits us: For the Legislators moves so slow that relief of provisions will come too late.

Kniphausen remains just as he did when you left us; but since which the Enemy have built a bridge over the Sound from Staten Island to Elizabethtown point. Doubtless Sir Harry will attempt something as his pride is great from his Successes in the Southward.

Yours affct

COL. WADSWORTH.

N GREENE

## 18.—JEHUDA ASHMUN, AGENT FOR THE AFRICAN COLONIZATION SOCIETY, TO CAPT. ENOCH PREBLE, OF PORTLAND, MAINE.\*

CAPE MESURADO Jany. 25<sup>th</sup>, 1825.

Dear Sir

I had the happiness to learn your safe return to the United States, and to the bosom of your family, by Capt. Barton, whom Alas! a severe providence has detained forever from his country and his home. he arrived here about the 20 Decemb<sup>r</sup> staid a week—doubled Cape Palmas and, after a seven days illness, died. Last week has presented a sad example of the deadly effects of our climate—three vessels in our roads, all in charge of their mates, (during the present voyage) have lost their masters they were our Packet the Fidelity 4 months out—the Charles of Boston, nine and the Romp of Portland about three,—But our settlement is healthy; and let white men but keep their own limits, and leave this country to the people, in whose possession the Almighty has left it and few could boast of a more healthful population.—

When we parted in May last, I Intended never to become a resident of the Cape again, but there is a Providence that shapes our ends, rough hew them how we will—my health became in a few weeks perfectly reestablished, the freedom from care which I enjoy'd at Bissao, aided by De mattsos's† hospitality plenty of leisure and good books—a fine country to range in and an abundance of Game, all conspired to repair my wasted spirits, and made most of my time pass pleasurly enough.—But the blackguard Portuguese! except De mattsos, (in whom a vein of natural politeness and generosity serves to keep up a show, and answer some of the purposes of honesty.) I met with none who did not prove themselves abandoned, & profligate to the last degree. my mercantile transactions however trifling, served to amuse away a part of my time; and from having to watch the rogues so closely, gave me indeed, at times, too much employment—what by stealing, cheating, and exactions under the colour of legal duties, I was happy to escape with the loss of about \$250 dollars not one cent less.—so much for Bissao—on my passage out July 17, 1824 what should I see, the second day paraded on deck, but a Coffle of Slaves in Irons. Yes sir, The United States Agent for suppressing the slave trade, was confined for 17 days on board of a Portuguese Slaver; and that after the assurance of the Governor, that the Brig carried nothing but rice.

Arriving at St. Jago July 4th I was priviledged to breath a little more freely there, though denied the expected gratification of meet-

\* From the original in the collection of George Brinley, Esq., Hartford, Conn.

† From the original in the collection of Nathl. Paine, Esqr., Worcester, Mass.

\* Communicated by G. H. Preble, Esq. Charlestown, Mass.  
† The Governor of Bissao.



ing you, I had the pleasure of learning of your safe arrival at Bonavista, and sailing, all in good health a few days before, the dry & thirsty air of that dusty Island was much less congenial to my habit, induced by a long residence on the Coast, than the climate of Bissao, but the little american & english society I fell into there, more than supplied the disadvantage, Mr Hodges has a very amiable and obliging little yankee Lady for his wife, and Mr Clark the English Resident, a certainly no less accomplished, and scarcely less amiable Lady of his own Nation—all understood well the duties which hospitality imposes on all who have the privilege of exercising it in this country—and nothing but the recollection of former scenes of domestic & conjugal happiness, now past, & irrevocable, prevented me from tasting that of my novel situation—meantime my Letters left in the Colony had reached Washington. I never before inform'd you, Sir, in what a Miserable state of anarchy, & confusion I left my People. They had taken a strong disgust at certain measures of Doctor Ayres my Predecessor—he had abandoned the Colony in bad health some of his measures I had judged unadvisable, and freely reversed them. They rose & demanded a reform of all. This I refused them. they then had recourse to violence. I opposed with force and arms. They compromised so far as to give over resistance—and await the decision of the question of their grievances, from the board at home—one of these related to the quantity and allocation of their lands, I consented—but insisted, on the alternative of representing them in a state of Rebellion & treason to the United States, on their immediately occupying & cultivating their plantations. this they had refused, three days before the arrival of the Reporter, at Mesurada

I resolved, instantly, to consult my health, and withdraw 'till an Armed force should arrive from the United States—my letter went home before the Reporter reach'd Goree, and the aid I had requested arrived at St. Jago, July 23<sup>d</sup> by the Porpoise Schr of War—We arrived via Seira Leon, Augt. 17 found the Colony reduced by the party spirit which had reigned in my absence—and the alarm, insecurity and disasters it had caused, to a deep & penitent sense of its former folly—I was met at the landing by half the settlement with tears of Joy—it was half an hour before I could disengage myself from their embraces. and get up the hill.—Every word was contrition & acquiescence, Not a regulation adopted, but met their almost, or quite Unanimous concurrence—they declared themselves ready to offer their lives in support of the Govern<sup>t</sup>. under which the Society, with their own consent had placed them.—This disposition has continued, Industry, order, union & Loyalty

—characterize, I say it with confidence, no community on earth, in a higher degree than that of Mesurado. I have a small body of troops, at disposal, under a Lieutenants command, but have occasion to employ them only for defence against external annoyance. The Govern<sup>t</sup>. has also allowed me a Secretary, Superintendent of captur'd Africans, conductor of Ordinance, and one or two other useful assistants, with competent salaries. Improvements of every description, have had a march which I am positive would astonish you, Indeed sir, you would on approaching our Cape now, slacken sail and re-examine your reckoning. you would not believe it Mesurado.—Our settlement extends towards the Ocean, near to the Point of the Cape, and with the Plantations nearly 5 miles along the sea coast—and including seven public buildings there are 55. chiefly substantial dwellings, of Frame and Stone work, in hand—the govern<sup>t</sup> has since Mr Southards accession to the Navy department, been sufficiently liberal and we hope will be more so.

My dear sir your kindness shown to me on the passage to Bissao, & thence 'till our separation, shall never be forgotten, I send on board the "Romp" for you a trifling specimen of African ingenuity, which, tho' no curiosity to yourself, may prove so to some of the less—travelled members of your family.—

My health, thank the good Lord has continued good (that is, as Africa Often allows to foreigners) since my return. Heaven only knows when, if ever I am to see my native country again. I am afraid my Superiors in America intend to forget to discharge me 'till the Climate does the work for them. But we must die soon—and a mind disposed to prepare at all, for that awfull event has some advantages to do it in Africa, of which the Allurements of civilized & artificial life, tend strongly to deprive it of. The great security to contentment and peace of mind, after all, is not any advantages of situation—but confidence in God our everlasting friend and Keeper, thro' our blessed Redeemer.—I hope I am not wholly without this faith and reliance—and even this hope is a treasure which the heart woud not exchange for all the Gold of the Continent—Present me Respectfully to your family & assure yourself Dear sir, of my unfeigned esteem & very respectful consideration.

J. ASHMUN.

CAPT. PREBLE  
Portland.

## 19.—ADMIRAL PAGET, R. N., TO MR. GARDINER.\*

SIR

I have discovered a degree of doubt and suspicion in the minds of the officers of the Squadron I command in regard to the disposition of the inhabitants of Gardiners Island toward us. In order therefor that there should in future be no mistrust on the one hand or any plea of ignorance attempted to be established on the other This is to give notice to you & you are hereby looked upon as the person the first to proclaim the purport of this communication throughout the Island "That the said Gardiners Island has been permitted the indulgence of remaining in its present peaceable Situation throughout the War & "is still enjoying it by *Sufferance* only & therefor "if ever the most trivial instance of hostility is "ever practiced upon any Boat or upon any individual whatsoever belonging to the Squadron "under my command or if it should ever be discovered that any men under Arms or any Military whatsoever are landed on the said Island, "The most Serious consequences will be visited "upon you & your property & that there may be "no possible grounds for our mistaking each "other I hereby in writing set down the terms "upon which alone Gardiners Island will be permitted to remain unmolested Supplies will be "required from time to time as hitherto"

I am Sir

Your very humble serv<sup>t</sup>

CHARLES PAGET

Senior officer of a Squadron of His Britonic Majesty's ships Off New London &c &c &c

[Addressed] "On the Kings Service  
"To Mr. GARDINER  
"Gardiner's Island"

## 20.—GENERAL JAMES MILLER, U.S.A., TO GOVERNOR DANIEL D. TOMPKINS.†

BOSTON March 4th 1815

SIR

I have the honour to acknowledge the rec<sup>t</sup> of your Excellency's highly gratifying communication of the 24 Dec<sup>r</sup> last with its inclosed Resolutions of the Hon. Senate and Assembly of the State of New York approbatory of my conduct during the last campaign and unanimously voting me a Sword in testimony thereof—

The execution of duty is a Soldiers consolation

and its acknowledgment by a grateful Country his richest reward—

To me it will ever be a source of happy reflection that my conduct has been such as to meet the approbation of so very respectable and enlighten'd a Body of my Countrymen as that of the Legislature of New York—

Your Excellency will be pleased to accept for yourself and present to the Hon. Senate and Assembly of the State over which you preside my grateful acknowledgements for the highly pleasing and liberal expressions of your approbation as well as for your very honourable testimonial

I have the honor to be  
with sentiments of the  
highest respect

Your Excellency's  
most ob<sup>t</sup> serv<sup>t</sup>

JAMES MILLER Brig<sup>r</sup> Gen<sup>t</sup>  
U S Army

His Excellency  
DANIEL D TOMPKINS

## 21.—RICHARD RIKER TO GOVERNOR DANIEL D. TOMPKINS.\*

N YORK 15 March 1815.

D SIR.

Allow me to return to you & to the Council my thanks for the flattering manner in which the office of Recorder of this city has been conferred upon me.

I have this day taken on myself its duties, and I beg you to be assured that I shall use my best endeavours to execute them with diligence & uprightness.

The Gentlemen associated with me shall receive from me every facility, & I confidently believe, that the public business will be so conducted, as to merit & receive the approbation of the Community & be reputable to your administration.

With sincere respect & esteem

I am your Ob<sup>t</sup>. Sver<sup>t</sup>.

R: RIKER.

His Ex<sup>y</sup>.Gov<sup>r</sup>. TOMPKINS.

## VIII.—CHAMPLAIN AND THE DISCOVERY OF HIS TOMB.

BY JOHN GILMARY SHEA, LL.D.

Last Christmas was the two hundred and thirty-first anniversary of the day when the people

\* The letter was received from a gentleman a stranger, whose name and address were lost in the parcel of manuscript referred to in our last number. We are sorry to say, therefore, that we cannot give his name or address

† From the original in the collection of the Editor.

\* From the original in the collection of the Editor.

of the little French town of Quebec, a mere dot amid the Canadian snows, followed to the grave, their great leader and guide, Samuel de Champlain, who had, amid every discouragement and in spite of all obstacles, struggled to plant a permanent colony in the New World.

He expired on the 25th of December, 1635, after an illness of two months and a half, attended by the Jesuit missionaries, with whom he had lived an almost conventual life after the departure of his wife for France,\* closing, in the utmost peace and calm, a life of much vicissitude and many a stirring scene.

Born at Brouage, in Xaintonge, in 1567 or 1570, of a respectable, and it would seem even noble family, he had early sought a military career, and in the struggles of Henry IV. to reach the throne, young Champlain fought stoutly for the King in Brittany, under the orders of d'Aumont de St. Luc and Brissac.

Peace did not send him to quiet or a barrack life. The family were men of the sea, and as his uncle held high rank in the Spanish navy, being Pilot General of the Naval Armies, he sought employment in the same service, and when the Spanish retired from Blavelt, their last hold in Brittany, he proceeded with them to San Lucar and, in 1599, made a voyage to Mexico, in the St. Julian, and drew up an account of his visit in a journal which has come to light in our day, and been published in English by the Hakluyt Society, the original French being withheld from the press in France by a sort of literary forestaller, who has for years been threatening much and giving nothing.

He had just returned to France, in 1602, when it was proposed to him to sail to New France for De Monts, who had secured a patent. The prospect suited one whose taste for adventure had received a stimulus from what he had witnessed on the Spanish Main. He accepted the offer, and his whole after career became identified with the extension of a French colonial empire in America.

Sailing with Pontgravé in 1603, he pushed past Tadoussac and ascended the St. Lawrence, as Cartier had done in the previous century, as far as the Sault St. Louis, above the island of Montreal. Returning, he sailed back, reaching Havre de Grace in September, 1603, with several Indians, including an Iroquois woman, whom he had rescued from the stake. His account of the

first Canadian voyage soon saw the light. But De Monts' views were turned to Acadia. From 1604 to 1607, Champlain labored to carry out the schemes of his countryman, and made so accurate a survey of the coast, as far down as Cape Cod, that the maps for the next century were based on his, and are valuable as they approach the original.

In 1607, he was sent out with a vessel to trade at Tadoussac. The Saint Lawrence seemed to him the real spot for the colony, and on the 3d of July, 1608, he founded Quebec. He won permanently to France the two great Indian families of the country, the Huron and Algonquin, becoming, as their ally, involved in a war with the Iroquois, which was ever to hamper his newly established colony.

Indefatigable and adventurous, he penetrated to the Lake which bears his name, and not only reached Upper Canada, but from thence marched with an Indian army to assail the palisades of their enemies in Western New York.

In 1629, he was compelled to surrender to Kirk, a French refugee in the English service, but in 1632 was once more in Quebec, as Lieutenant of Cardinal Richelieu. He did not long survive to direct the destinies of restored Canada.

On his death, a special vault was prepared for the reception of his honored remains, and here his body was laid, probably early in the summer of the following year, as it would have been impossible in December to make the excavation and construct the brickwork. Unfortunately, the Jesuit *Relation* of the year entered into no details as to the ceremony, nor does it even mention the place of interment; and no other contemporaneous publication alluded to the matter. The first Registers of Quebec perished by fire in 1649, so that there is not even that source to guide a research. No monument appears to have been raised, and, in lapse of time, even tradition failed to mark the spot. The first allusion to the tomb of Champlain is in the relation of 1643, in which Father Raymbault is said to have been interred "near the body of the late Mr. de Champlain, who is in a private vault. (*sepulchre particulier*) erected expressly to honor the memory of the distinguished personage, who has laid New France under such obligations." (*Relation*, 1643, p. 3.) This has been generally misunderstood, some supposing Raymbault to have been interred in the same vault, others in the Sarcophagus intended for Champlain.

When the study of the early Canadian history revived in our day, the Chapel beneath whose shadow Champlain lay was conceded on all hands to be "Notre Dame de Recouvrance," which stood on or near the site of the present Anglican Cathedral. Such was the opinion of all. The careful Mr. Ferland so states in his *Cours d'Histoire*,

\* He married Helen Boullé, sister of a fellow-navigator, who, though at the time a Prote-tant, returned to the ancient faith, and, on her husband's death, became an Ursuline nun, under the name of Mother Helen de St. Augustine. She died at Meaux, December 20, 1654, at the age of fifty-six, in a convent which she had founded (*Cronique de l'Ordre des Ursulines; Les Ursulines de Quebec*, 352). They left no issue, the only heir appearing to claim any right in his estate being a cousin.—SHEA'S *Charlevoix*, ii., 88.



Vol. 1, p. 293, and declares that that church was styled "the Chapel of Champlain," an expression used in the Register containing the entry of Raymbault's interment.

The Abbé Laverdière, to whom we are indebted for a rectification of the error, long shared the common misapprehension. He is now republishing, textually, the whole of the various editions of Champlain's *Voyages to Canada*, with critical notes, beginning with the almost unfindable *Des Sauvages*, issued in 1603, the highly valuable and, as Thoreau remarks, singularly overlooked edition of 1613, and so on, down to the last hastily put-together edition of 1632. As a memoir of the great founder of Quebec should necessarily precede his labor, the Abbé Laverdière seems to have felt it a national dishonor that no one could point to the grave of Champlain. He set to work, with the Abbé Casgrain, to examine, in the archives, everything that could throw light on the matter. Ere long they became satisfied that the Chapel of the Governor, burnt in 1640, was not the Chapel of Champlain, in which the vault existed. It was not then Notre Dame de Recouvrance; and he soon satisfied himself that it could not be in the Upper Town. "Therefore," he adds, "Champlain's chapel could be only in the Lower Town, and could be no other than that built by him in 1615, on the arrival of the Recollects, for that chapel is certainly the only one erected by him there."

Investigation and the light of documents proved that this was in the Anse of the Cul-de-Sac, on a street still called Champlain Street, where an ancient cemetery exists. Arrived at this stage, Mr. Laverdière and the Abbé Casgrain, who had joined in his researches, were overwhelmed with disappointment to find that only ten years since the water-works had run directly through the ground. Application to H. O'Donnell, Esq., the assistant-engineer who directed the works, brought out the fact that he had come, at the foot of the stairs called Little Champlain Street, upon a vault containing a coffin and human remains, apparently of some distinguished person; and that he had at the time preserved a plan of the locality and sketches of two of the bones. Remains of three bodies were found near. The body in the vault was undoubtedly Champlain's; those near it, the remains of Father Raymbault, the Recollect Brother Pacificus du Plessis, and of Mr. de Ré, known to have been interred near Champlain's vault.

Part of the ancient vault was preserved in the new works, and the Abbés Laverdière and Casgrain descending into it, November 10th, 1866, found it about eight feet square, and about fourteen feet from the corner of Sous-le-Fort Street. The body had lain in the direction of Champlain

Street. They were able on the wall still to trace in part the name SAMUEL DE CHAMPLAIN. It now remained to find the bones. These had at the time been placed in a box and conveyed to the Parish Church, where they were kept for about three years, and there being no prospect of their identification, the box was, by direction of the Rev. Edmund Langevin, buried near the cathedral, with injunctions to mark the spot. This was neglected, but hopes are still entertained of its recovery, when Quebec will do honor to the remains of its illustrious founder. A search made in the portion of the cemetery was continued till the fourth of December, and will be resumed this spring, with every prospect of success.

A more curious and persistent search has seldom been made than this, so honorable to the Abbé Laverdière. (See *Découverte du Tombeau de Champlain*, par MM. les Abbés Laverdière et Casgrain. Quebec, 1866. 8vo, 19 pp., three plans—SHEA'S *Charlevoix II.*, 233-4.)

#### IX. — MR. BANCROFT, MR. GRAHAME, AND REV. DR. ELLIS.\*

CHARLESTOWN, Febr'y 9, 1867.

Editor of the *Historical Magazine* :

SIR: Will you oblige me by inserting in your Magazine the enclosed communication to *The Boston Daily Advertiser* of February 8th?

Respectfully yours,

GEORGE E. ELLIS.

MR. BANCROFT AND REV. DR. ELLIS.

To the Editors of the *Boston Daily Advertiser* :

Allow me the use of your columns, that I may answer, for many at once, a question, almost daily put to me of late by individuals, especially those interested in our historical literature. The question is substantially, "What is the meaning or occasion of that mystifying and but partially intelligible reference of a censorious character, which Mr. Bancroft, in the ninth volume of his history, recently published, makes to you about your correspondence with Mr. Grahame, the 'historian of the United States?'" The reference will be found on pages 27 and 28 of the new volume, headed "Memorandum." It relates to a matter in which the parties principally concerned

\* The following article is not exactly to our liking, as it seems to possess more of a personal than a historical character. For the reason, however, that Mr. Bancroft has introduced the subject into the last volume of his *History of the United States*, thereby giving it a peculiar interest, we have not felt at liberty to decline to reprint Doctor Ellis's reply, especially since THE HISTORICAL MAGAZINE is open to every one who shall be inclined to discuss American historical questions, or even those questions which are remotely connected with our history, on the sole condition that such discussions shall be intelligently and civilly conducted.—ED. HIST. MAG.

were Mr. Grahame and his American editor and biographer, the late Hon. Josiah Quincy. My own connection with it was of the most incidental nature. If Mr. Quincy were living, I should leave to him to pursue, as against Mr. Bancroft, the vindication of Mr. Grahame, and incidentally of myself, in a new phase of an old variance. Mr. Quincy, however, might have disclaimed this office by falling back upon an avowal made by him in a pamphlet soon to be mentioned, in which he said, "I feel myself at liberty to decline all notice or regard of what Mr. Bancroft may hereafter write or publish concerning this "controversy."

Many pens and voices are now actively assailing and challenging Mr. Bancroft on very grave charges, as to alleged perversions, misrepresentations and false statements in his pages, doing grievous wrong to eminent revolutionary officers and patriots. I might hesitate, therefore, to present my own private grievance, leaving every reader to imagine that the charge which Mr. Bancroft implies against me admits of an easy answer, furnished, in part, by its own mystifying form, and in part by the fact, well appreciated in this community, that, whenever this distinguished historian raises either a personal or an historical issue, the matter or the manner of it is very apt to provoke and to admit of review and reply.

For another reason I should have been disposed to pass his "Memorandum" unnoticed. The sharp controversy which is the main matter in reference was no concern of mine. So far as I was incidentally drawn into it, it was as an intending peacemaker and mediator, and my name and agency were wholly irrelevant in the strife. Mr. Bancroft had always treated me with uniform kindness, doing me many favors in early years, which attracted me to him personally, and made me most ready to undertake for him abroad such service as my inexperience allowed in some documentary researches which he asked of me. All my relations with him had been agreeable and friendly, till his variance with another brought about an alienation between us. But the ingenuity—I will avoid all harsh language—with which Mr. Bancroft contrives to convert a matter of sharp strife as it stands in print, between others and himself, into a grievance which he alleges against me, demands what I hope may prove an equally temperate and sufficient reply.

I would remind your literary readers that Mr. Quincy was the editor of the American edition of Grahame's *History of the United States*, which he prefaced with a memoir of the author, prepared at the request of the Massachusetts Historical Society, of which Mr. Quincy was a resident and Mr. Grahame a corresponding member. This publication, referring to a matter imme-

diately to be specified, drew forth criticism and complaint from Mr. Bancroft, and led to another publication by Mr. Quincy, to which he gave wide circulation. This was a pamphlet of fifty-nine octavo pages, to which I would refer all your readers who care to inform themselves fully on the subject. Its title is as follows: *The Memory of the late James Grahame, the Historian of the United States, vindicated from the Charges of "Detraction" and "Calumny" preferred against him by Mr. George Bancroft, and the Conduct of Mr. Bancroft towards that Historian stated and exposed.* By Josiah Quincy. Boston: Crosby & Nichols, 1846. The contents, tenor and spirit of that pamphlet are as peremptory and emphatic as are the tone and wording of its title.

The origin of what developed so formidably must be stated with brevity. In an edition of his history, published in 1836, Mr. Grahame, following authorities which he carefully named and cited, was led to form a very unfavorable opinion of the course of the famous and excellent John Clarke, in the specific agency by which he obtained an advantageous charter for Rhode Island, in 1663. Clarke and the authorities of the Massachusetts Colony had had an old quarrel, and the advantages which he secured for his own colony were alleged to have been gained by misrepresentations of Massachusetts, made by him at the court of Charles II. Pronouncing judgment, conformed to his inferences from the facts and his authorities, Mr. Grahame declared that "Clarke conducted his negotiation with a baseness that rendered the success of it dearly bought." Mr. Bancroft's second volume was published in 1837, and it contained a note to his text, on the subject of Clarke, as follows: "The charge of baseness is Grahame's own invention." Here was the material of combustion: the little fire.

When I went abroad, in the spring of 1838, Mr. Bancroft, for whom I was to make certain historical researches, committed to me several copies of his first two volumes (as also did Mr. Prescott of his then recently published *Ferdinand and Isabella*) to be given to literary men, while I was also to seek to procure their republication in England. One copy of Bancroft was specifically addressed to Mr. Grahame, then residing for his health in Nantes, France. I had not then read the second volume, and so was not aware of the charge against him which that high-toned gentleman would meet in its pages. If I had had such knowledge I might have been somewhat chary of being the medium for conveying it. I left the volumes to Mr. Grahame's address, with his publishers, Smith & Elder, in London, and they were at once transmitted to him in France. Early in the next spring, when I was in Paris, in



intercourse with our distinguished and highly respected consul, Mr. Robert Walsh, a friend and correspondent of Mr. Grahame, I learned how grievously the note in Bancroft had wounded the feelings of Mr. Grahame, with whom I was myself brought into correspondence, through a message which he sent me by Mr. Walsh. I have no copy of my own letters to Mr. Grahame, while in France or after my return home. But I distinctly remember trying to soften his indignation towards Mr. Bancroft. I suggested that if he knew the temperament and style of rhetoric of our historian, even the grievous charge against himself would not seem so literal in its severity. I suggested, also, that Mr. Bancroft might have used the odious word *invention* in the sense of an *hallucination*, or a chimerical fantasy. The substance of Mr. Grahame's final defence was, that even if he had been misled by his authorities, he had sought to follow them, and therefore that he had not *invented*, fabricated, or conjured up the charge against Clarke.

My correspondence with Mr. Grahame continued after my return home, and we had some literary exchanges, at intervals, till his death in 1842. Through communications in newspapers in Boston, New York and Providence, from Mr. Walsh and others (I neither wrote, nor prompted, nor furnished materials for any of them) the matter between Mr. Grahame and Mr. Bancroft became known to all who gave their attention to it. It was thought by friends of Mr. Grahame, that, on grounds of literary courtesy, and through then unacknowledged claims on the gratitude of Americans for his pioneer labors as our historian, and as a fond admirer of our country, he had cause of just complaint against Mr. Bancroft. It was noticed that the latter had never made any adequate recognition of the zeal, labor and success of his predecessor in the same field. Indeed, the writer (wholly unknown to me) of a very elaborate article in the *Dublin University Magazine* in 1842, instituted a comparison between the works of the two historians, alleging, what was claimed as conclusive proof, that Mr. Bancroft owed a very large amount of unacknowledged indebtedness for suggestion and guidance, to Mr. Grahame. But of the details, the phases and the results of the consequent controversy, I have nothing here to say, referring all who may be interested in it to the pamphlet whose title I have above copied.

Mr. Grahame and Mr. Bancroft never held any direct correspondence on the subject, their messages going through intermediaries—Mr. Walsh, Mr. Prescott and myself. As a matter of course, on my return home, I put all my letters from Mr. Grahame received up to that time, and those received afterwards, which contained any reference to the subject, into the hands of Mr. Ban-

croft. When Mr. Quincy, as before noted, was called upon to write the memoir of Mr. Grahame,—a service which led to his becoming the editor of the perfected edition of the history,—he applied to me for any letters which I might have from his subject, as he had learned from the family of Mr. G. in France that I had such. At Mr. Quincy's request I wrote to Mr. Bancroft, asking for my letters. He replied that if he had not returned them to me he must have mislaid them, as he had then no knowledge of them. A second urgent application was followed by the enclosure to me of a single letter, which I put into the hands of Mr. Quincy. Some time afterwards Mr. Bancroft wrote to me asking me to send him a letter from Mr. Grahame, which he tried to describe circumstantially, not by date. It would seem now from his "Memorandum" that the one he thus asked for was the same one he had returned to me. In subsequent correspondence with Mr. Bancroft, I have carefully disclaimed the *positive assertion* that he was retaining other letters of Mr. Grahame to me. I was willing to make allowance for the lapse of time and the occupation of my mind by other things. But I am strongly persuaded that there were other letters, that Mr. Bancroft once had them, and that they have never since been among my files. True, I may myself have lost them, or mislaid them, or they may have miscarried. Mr. Bancroft knows full well that I have not pressed this point. But this persuasion of mine that there were other letters, Mr. Quincy put into print, with a surmise of mine, and an inference of his own.

In his "Memorandum," Mr. Bancroft refers to his habit as a historian, of practising the utmost critical carefulness on points discussed by him, while he has "rarely had occasion to notice any "effusion of personal malice." He then alleges an unredressed wrong inflicted upon him, in a matter touching his courtesy and historical fidelity, by Mr. Grahame and Mr. Quincy, though this is put so vaguely that no reader could form an intelligible idea of the matter at issue. Mr. Bancroft then adds: "In the course of his memoir, Mr. Quincy quoted from the letters of Mr. Grahame to Mr. Ellis which he had in his "hands." In this misstatement—an inadvertency, I am willing to regard it—lies the substance of my grievance. Though Mr. Bancroft prints two notes from me in which I affirm that I had put my letters from Mr. Grahame into his hands, had more than once sought to call them back, and had recovered one of them from him, as Mr. Bancroft admits, he now insists that the letters in question were virtually in my possession, as I had furnished them to Mr. Quincy's work in the memoir. Now, if he will refresh his memory by looking over Mr. Quincy's memoir and pamphlet,



he will find that in both of them, instead of having the *letters* from me so much desired and so confidently referred to by Mr. Bancroft, Mr. Quincy has and uses only *one* single letter, expressing at the same a desire for others. That I should be deliberately pressing Mr. Bancroft at Mr. Quincy's request, and for Mr. Quincy's service, to return me papers which I had already put into Mr. Quincy's hands, would argue mental aberration. There was no conceivable reason why I should have withheld from Mr. Bancroft any letter from Mr. Grahame, relating to the variance between them, seeing that whatever Mr. Grahame might write on the subject was designed indirectly to reach Mr. Bancroft, their relations not admitting of direct correspondence.

GEORGE E. ELLIS.

#### X.—OLD NEW YORK REVIVED—CONTINUED.

##### 17. LONGWORTH'S SHAKSPEARE GALLERY.

###### 1.—*Description of the Gallery, 1800.*

###### SHAKSPEARE GALLERY,

*No. 11 Park, five doors south of the Theatre.*

This place of elegant recreation, is at all times open for the admission of such company as choose to frequent it, where they will always find such novel amusement, as will fully compensate the price of admission ONE SHILLING. In this room is exhibited the prints of *Boydell's* celebrated superb edition of *Shakspeare's works*, published in London, and which is not paralleled by any other attempt of the kind. The best scenes in that illustrious author's works, is portrayed by some of the first artists, and can't fail of procuring the admiration of all amateur's of the arts of *painting* and *engraving*. These prints occupy the principal place in the room, while other parts are reserved for the exhibition of such other pictures as will ensure applause, which will be frequently varied.

*In this exhibition, the proprietor intends that the public shall be convinced of his determination to give them much more for their money, than its value.*

Among other sources of novelty and amusement which the Shakspeare Gallery possess, is the LONDON GALLERY of FASHION, published monthly, and which is regularly forwarded on to the proprietor, and framed and hung up in the Shakspeare Gallery; these consist of two elegant colored prints representing female figures

dressed in the morning and evening dresses for that month.

Where are for sale Drawing paper of all sizes, and Camels hair pencils of superior quality. A few elegant hot pressed editions of some of the most valued authors, as also a small collection of Prints, Books, and Stationery.

##### 2.—*A Catalogue of Paintings in the Shakspeare Gallery, New York, 1802.*

No. I.

STUART'S celebrated

###### PORTRAIT OF WASHINGTON.

Large As Life.

*Size of the Canvas, 5 by 8 feet high.*

THIS great master of Portrait Painting, speaking of this Picture said it was his masterpiece.

WASHINGTON is supposed to be addressing both Houses of Congress, and the likeness is so strong, that 'tis easy for those who knew him about the close of his Presidency, to realize in imagination this august ceremony.

No. II.

Inscribed to the

###### MEMORY OF WASHINGTON.

*Painted by WOOLLEY.*

*Size of the Canvas, 2 feet 4 inches by 2 feet 9 inches high.*

*The Allegory.*

The PORTRAIT of WASHINGTON is supported by *Liberty, Virtue, & Justice*—*Virtue* holding her crown, intimates the reward he has merited. Two female figures in the left, represent *Poetry* turning to *History* for a subject worthy her muse—THERE IS NONE MORE WORTHY THAN WASHINGTON.—In the right is seated, in a pensive posture, *America* (in the form of an aboriginal) lamenting the loss she has sustained in the death of her WASHINGTON.

No. III.

Is an illustration of one of the most important public transactions in WASHINGTON's Life—he on this occasion exhibited more of that impetuosity of temper which he ever made it his study to obtain the command of, than he did at any

other, during all the time he officiated as a public character.

*Painted by WOOLLEY.*

*Size of the Canvas, 5 by 6 feet long.*

September 15, 1776. About Eleven o'Clock Gen Howes troops landed under cover of five Ships of war, in two divisions, between Kip's and Turtle's bay; the Hessians in one place, and the British in another. As soon as GENERAL WASHINGTON heard the firing of the men of war, he rode with all dispatch to the lines; but to his great mortification found the troops, posted there, retreating with the utmost precipitation, and those ordered to support them, Parson's and Fellows' brigades, flying in every direction, and in the greatest confusion; his attempts to stop them were fruitless, tho' he drew his sword, and threatened to run them through, and cock'd and snap'd his pistols. On the appearance of a small part of the enemy, not more than fifty or sixty, their disorder was increased, and they ran off without firing a shot, and left the general in a hazardous situation; *so that his attendants, to extricate him out of it, caught the bridle of his horse, and gave him a different direction.*

*Gordon's History of America, Vol. II. page 110*

#### No. IV.

A PORTRAIT, in Water Colors of  
GENERAL WASHINGTON,  
At the Battle of Monmouth.

*Painted by ARCHIBALD ROBERTSON.*

*Size of the Canvas, 27 by 31 inches high.*

'Twas at this time, Gen. Washington severely reprimanded Lee for his pusillanimous conduct; who, in attempting to defend himself, ask'd if the British Grenadiers were ever known to retreat? Gen. Washington replied, that he should this day see them compelled to it.

#### No. V.

A PORTRAIT OF  
HIS EXCELLENCY JOHN JAY,

From a picture done while Mr. JAY was *Minister resident* in England.

*Painted by BOYLE, of New York.*

#### No. VII.

A PORTRAIT OF  
GEN. RICHARD MONTGOMERY,

Who fell before Quebec, 31 Dec. 1775, aged 37 years.

*Painted by PEALE.*

Gen. Montgomery, after a variety of successes, during which he encountered difficulties of the most discouraging nature, and almost obtained the completion of his enterprize, in the conquest of Quebec, was killed by a discharge of grape shot, when in actual possession of a considerable part of the Town. Thus by a fatal accident was put a stop to his course of glory, for, had he survived, and completed the conquest he had so happily prosecuted thus far, he would in all probability, been placed at the head of the American Armies.

#### No. VIII.

A PORTRAIT OF  
GENERAL WASHINGTON,

By a foreign Artist of distinction.—A capital picture.

*Painted by WERTMULLER.*

"With equal skill, with godlike power,  
He governed in the fearful hour  
Of horrid war; or ruled with ease,  
The happier times of honest peace."

#### No. IX.

CUPID RECLINING,

His quiver suspended on a tree, his bow lying on the ground

*Painted by an ITALIAN MASTER.*

*Size of the Canvas, 2 feet 6 inches by 3 feet 4 inches high.*

#### No. X.

JOSEPH AND POTIPHAR'S WIFE.

*Painted by an ITALIAN MASTER.*

*Size of the Canvas, 4 feet 3 inches by 5 feet long.*

"And he left his garment in her hand, and fled and got him out."

*Genesis, 39th chap. 12th verse.*

#### No. XI.

A PORTRAIT.

A CAPITAL PICTURE.

*Painted by an ITALIAN MASTER.*

#### No. XII.

A LANDSCAPE.

No. XIII.

## THE CHILDREN IN THE WOOD.

*Size of the Canvas, 12 by 14 inches long.*

No. XIV.

Designed by this ingenious Artist for JOHNSON'S  
PRINCE OF ABYSSINIA.*Painted by STOTHARD.**An oval. Size of the Canvas, 11 inches.*

No. XV.

## THE CHOICE OF HERCULES.

*Painted by WILLIAM DUNLAP, Esq. of New-York.**Size of the Canvas, 3 feet 4 inches, by 4 feet long.*

No. XVI.

## A MONUMENT

to the

## MEMORY OF WASHINGTON.

*Painted by TUTHILL, of New-York.**Size of the Canvas, 3 by 3 feet.*

No. XVII.

## CYMBELINE.

## ACT II. SCENE II.

*A Bedchamber; in one part of it a Trunk.  
Imogene reading in her bed; a Lady attending.**Painted by WILLIAM HAMILTON, of London.**Size of the Canvas, 5 by 8 feet long.*

No. XVIII.

## A HEAD,

By a celebrated French Artist. A picture of  
considerable merit.*An oval 3 by 4 feet high.**Painted by GREUZE, of Paris.*

No. XIX.

## ST. JOHN THE DIVINE,

INSPIRED BY AN ANGEL,

## PENNING THE REVELATIONS.

From the original Picture of the same size.

*Painted by WARD, of Newark.**Size of the Canvas, 13½ by 16½ inches.*

No. XX.

## A PORTRAIT OF

## SHAKESPEARE.

*Painted by WARD, of Newark.**Size of the Canvas, 6 by 8 inches high.*

No. XXI.

## A PORTRAIT OF

## STERNE.

*Painted by WARD, of Newark.**Size of the Canvas, 6 by 8 inches.*

No. XXII.

## URANIA,

*Painted by C. NATOIRE, of Rome.*

No. XXIII.

## A P O L O.

*Painted by C. NATOIRE, of Rome.*

No. XXIV.

## THOMAS JEFFERSON, Esq.

## PRESIDENT OF THE

## UNITED STATES OF AMERICA.

*Painted by BOYLE, of New-York, 1801.**Size of the Canvas, 5 by 8 feet high.*In the background is a view of the celebrated  
Rock Bridge in Virginia.

No. XXV.

## JOHN JAY, Esq.

Signing the DEFINITE TREATY at PARIS, 1782.

*Painted by BOYLE, of New-York.**Size of the Canvas, 5 by 8 feet high.*

No. XXVII.

## C A L V I N

## WITH PORTRAITS OF TWO

## MONKS.

*Size of the Canvas, 4 feet 7, by 3 feet 6 inches high.*



No. XXVIII.

## LUCRETIA.

After relating the outrages of TARQUIN, stabs herself with a Poniard.

*Painted by an ITALIAN MASTER.*

*Size of the Canvas, 2 feet 2 inches, by 3 feet 2 inches.*

No. XXIX.

## THE CHILDREN IN THE WOOD.

*Size of the Canvas, 3 feet by 2 feet 4 inches high.*

No. XXX.

## AN UNFINISHED PORTRAIT.

*Painted by Wood, of New-York.*

Continual additions are making to this Collection.

Besides the Pictures in the Gallery are many miscellaneous Prints, which are frequently replaced by others.

PRICE OF ADMITTANCE ONLY 12 $\frac{1}{2}$  CENTS.

## XI.—THE RECORDS OF THE CITY OF NEW AMSTERDAM—CONTINUED.

[Original, 15 ; Translation, 23.]

WHEREAS, their High Mightinesses the Director General and the Councillors do daily notice and observe that by some of the inhabitants of New Netherland, the servants of the Honorable Company, and others of their domestics, whenever the same run away from their Lords and Masters, and also those, from without, who come from our near neighbors, are harbored at their homes and in their houses, whereby it is caused that many servants, whenever they serve unwillingly, have the means and the way given to them for running away, which occurs daily; and that their High Mightinesses the Director General and the Councillors may make all possible and practicable provision to prevent such things, Therefore, their High Mightinesses, the Director General and the Councillors do, by these Presents, advertise and warn every person to give no harbor or lodging to any of the servants, whether of the Honorable Company or of any other persons living here or elsewhere, at the longest, no longer than twenty-four hours;

and in case any one shall be found to have acted contrary to this he shall forfeit One hundred and fifty Stivers as satisfaction, which shall be appropriated as the Prosecutor, to whom it is due, shall direct. Done, in Session, this 6th October, Anno, 1648: Present, His High Mightiness the Director General: L. Van Dincklage, B. Newton, Paulus Leendertsen.

[Original, 16 ; Translation, 24.]

WHEREAS, their High Mightinesses the Director General and the Councillors of New Netherland, by Proclamation, long ago admonished the Community in general to improve their house-lots by building on the Island of Manhattan, which before now has been surveyed a Plantations, and the more so since these lots have been built on by some of the Inhabitants; and Whereas, certain persons are desirous of building, and have no place near this, that is suitable for building a house on, Therefore, by the considerate and excellent the Director General and the Councillors it is deemed advisable to make known to every one, for the last time, for the improvement of their house-lots to erect suitable buildings, and in default thereof, that their Excellencies the Director General and Council shall point out to such persons as may be inclined to build houses in this city of New Amsterdam, suitable sites for that purpose and award to the present actual settlers a reasonable compensation for the same, at the discretion of the Surveyors of Buildings.\*

It is also hereby farther advertised, in case any one feels inclined to build, he shall be pleased to give in his name to the Secretary, upon which having been done the Order shall be issued accordingly. Done, published, and affixed, in Session, on the 15th December, Anno, 1648, at New Amsterdam, in New Netherland. Present: The Director General: His Excellency Dincklage, La Montagne, Brian Newton, and Paulus Leendertsen.

[Original, 17 ; Translation, 25, 26.]

THEIR High Mightinesses the Director General and the Councillors of New Netherland

\* The Surveyors of Buildings here referred to, were Lubbert Van Dincklage, Paulus Leendertsen Van der Grist, and Cornelis Van Tienloven whose appointments were made by Order of the Director General and Council, dated the twenty-fifth of July, 1647.

By the same Order, the Grantees of House lots in New Amsterdam were ordered to improve such lots within nine months or suffer the penalty of forfeiture; hence the Government, in using the peremptory tone of this Order, was fully warranted by the Supreme Law of the Province.—H. B. D.

having daily noticed that their Order, heretofore made and ordained, on the subject of Measures and Weights has not been well observed by some, whereby the good inhabitants have been greatly defrauded, Therefore, their High Mightinesses the Director General and the Councillors do hereby give notice to all the great and the small Dealers, together with the Bakers, and all others who sell aught by the Ell-measure or by weight, in selling and in buying to make use of the just Amsterdam Ell, weight and measure; and, that all things may be transacted in an orderly manner, the Director General and the Councillors do, by these Presents, advertise all the inhabitants and traders, between this date and the first day of August next ensuing, to provide and procure for themselves, just Amsterdam Ells, weights, and measures; and that in the meantime those that may, for the present time, have any weights, shall bring the same to the Warehouse of the Company, in Fort Amsterdam, for the purpose of having them weighed and measured, so that, for the time to come, no one of our subjects shall suffer loss therefrom; and that all things may be regarded and observed with greater zeal by all and each one, our Fiscaal, Hendrick Van Dyck, is hereby charged and authorized, after the expiration of the first day of August next ensuing, to inspect all weights and measures, as often as he shall think proper; and in case any shall be found using unjust ell, weights, or measures, he shall pay such fine as in the premises may have been established in Father-land. Let every one be hereby warned and keep himself from harm.\* [26] Done in Session, on the 17th July; resumed and affixed, the 19th July, Anno, 1649, at New Amsterdam, in New Netherland.

[Original, 18; Translation, 26, 27.]

The Director General and the Councillors of

New Netherland, to all and each one that may read these presents or hear them read, Send Greeting:

Whereas, with great concern we have noticed and observed that the foregoing Ordinances made against frauds and smuggling, which have been Ordained concerning the Beers given out by the Tapsters and Inn-Keepers;\* also, that notwithstanding our foregoing Ordinances, some few of the Inhabitants make it a business to Tap and Brew at the same time, whereby not only the customary duty has been defrauded but, also, other Tapsters who make that their only business, have been injured in their profession,† Wherein, in conformity with the General Order from Father-Land, and willing to apply the remedy, We ordain and order, by these Presents, that no inhabitant following the business of Brewing \* \* \* \* \* nor by the small measure, excepting at meal-time, Tap, Sell, nor hand out, any Beers, Wines, or Waters, not even to Boarders nor to those whom they may pretend are boarding with them, under which pretense we have observed great frauds have been practised.‡ To prevent both the one and the other, We do moreover ordain that, from this time forth, no Beers nor any Wines, shall be moved out of the cellars of any Brewery or Warehouse, nor be lodged in the houses of the Tapsters, except they shall have first been given in at the office of the Secretary, and the Sledgemen or Carriers of the same shall have brought [27] back a Bill of Delivery, signed by the First Clerk of the Secretary, which Bill shall be shown and exhibited on the same day at was brought and signed, to our Fiscaal, Hendrick Van Dyck, or to the person whom the Fiscaal shall have substituted in his place, during his absence. We do insist upon every one and all the Brewers, not to deliver any Beers, nor

\* On the fifteenth of December, 1614, the Board of Accounts "Reported and Advised" the Assembly of the Company to provide, "that the Amsterdam measure, ell and weight shall be used throughout the entire country." It is not clear, however, that this recommendation was adopted—if adopted, it certainly was not enforced—until the arrival of Statuyesant in the Colony; and although this Order recites a previous Order on the same subject, it is positively stated in the *Remonstrance of the Deputies of the New Netherland*, addressed to the States General on the twenty eighth of July, 1649, by Adrian van der Donck and others, that this was the first issued on the subject. Their language was: "Not a thing had been done concerning Weights and Measures and the like," previous to the 25th July of the year 1649, at which time the people were notified that an Order on the subject would be issued the ensuing August, which the Fiscaal would then enforce—this was as much as to say: "Water the Pigeons."

On the twenty-eighth of the succeeding January (1650) the West India Company presented an Answer to the *Remonstrance* referred to in which the particular subject now under consideration was thus alluded to: "We are not aware of any other but the Dutch ell, measure and weight being in use; and an Order was issued, last Summer, that all the Inhabitants should bring their weights into the Company's warehouse, to be stamped anew there."—H. B. D.

\* Vide Orders of Director Kieft, dated June 28, 1614, and July 4, 1647; and the Order of Director Statuyesant and Council, dated March 10, 1648, etc.

This Excise, which was the only Tax levied on the Colonists, originated in the necessities arising in the General War with the Indians, in 1644 and it was imposed, as a temporary necessity, with the consent of the Eight men chosen by the Commonalty, on the twenty-eighth of June in that year.

It was openly resisted at the beginning, and Kieft was obliged to employ force in executing it, notwithstanding the urgency of the situation and the promise of the Director that it should continue only, until the arrival of a Company's ship, "a new Director or the end of the war." At a later period, it was avoided whenever it could be done, as the Ordinances show; yet it is said to have produced yearly in Statuyesant's time, not less than Four Thousand Guilders, in this city alone.

† Vide Order of the Director General and Council, dated January 12, 1648, which "agreedable to the order and practice in Holland," denied to Brewers the privilege of Tapping and Retailing the Beer which they brewed.

‡ As the Excise was paid, one half by the Tapster the other half by the Brewer, it will be seen that the Government held no check over the business when both branches were followed by the same persons. Hence the necessity of the Order of January 12, 1648, as well as that of this Re-issue of it.—H. B. D.



give them to any Sledgemen or Beer-carriers, until they shall have first shown a Bill of Delivery, in the penalty of forfeiting the Beers and Wines, and all the utensils, whether they be Horses, Sledges, or any other instruments where-by the same may be removed, and an arbitrary correction of those who may be accessory thereto. § Done, and after the resumption agreed to, in

§ Vide Order of Director General and Council, dated March 10, 1648, Section vii.—H. B. D.

our Session, at Fort Amsterdam, on the 8th November, Anno, 1649, signed by,

P. STUYVESANT  
L. VAN DINCKLAGE  
H. VAN DYCK  
LA MONTAGNE  
BRIAN NEWTON

[Original, 19; Translation, omitted.]\*

THE Director General and Councillors of New Netherland to all who shall read these presents or hear them read.

Considering the abundant complaints presented to us by many of our inhabitants concerning the poor quality of the large bread and the right weight of the white bread, with other than which the good people cannot with the ordinary currency be accommodated by the bakers, the cause and foundation of which is understood to be that the Indians or natives of the country seek the white bread in preference to the black and pay the bakers for the same with perfect Seawant, which our inhabitants from want of perfect seawant cannot do in their purchase.

The consequences of which is that from the inclination of greater profit the Indians and barbarous natives are better accommodated than the christians. In consideration of which the Director General and Councillors with a view to the best service of the community according to their best ability as occasion affords, do ordain and command by these presents, that for the future no baker shall bake any white bread or cakes for sale, or permit the same to be baked, nor shall sell the same to either christians or natives, on penalty of forfeiture of all that shall be baked and of fifty carolus guilders from such as fail to comply. Excepting nevertheless that no inhabitant shall be prohibited by these presents, to bake or have baked a sufficiency of white bread for their ordinary and proper meals as their occasion shall require, provided they observe in other respects the orders of the court.

Interdicting and forbidding likewise as we do

by these presents, interdict and forbid the public sale and consumption of white bread and cakes either to the Indians or to the inhabitants, and for the purpose of condemning the frauds and in respect to the ordinary bread, and in order that neither the Indians nor the Inhabitants shall be injured by inferior weight the above mentioned Director General and Councillors order that those following the business of baking bread shall hereafter bake the same of pure wheat or pure rye, as it comes from the mill, of the weight of five, four and two pounds, at a price in conformity with the orders that shall from time to time be announced by the court for the purchase of grain.

This done resolved and established at our meeting this 8th November 1649.

Was under written

P. STUYVESANT  
L. VAN DINCKLAGE  
H. VAN DYCK  
LA MONTAGNE  
BRIAN NEWTON

[Original, 20; Translation, 27, 28.]

THE DIRECTOR and the Councillors of New Netherland having remarked the scarcity of the crops of the past year; and also that there is a great complaint among our good inhabitants, that already they have scarcely a subsistence of Bread for themselves and their children, to be had of the Bakers, and the apprehension is that if there is not a seasonable interposition, there will be a farther deficiency of Bread-corn and a greater advance in price:

Therefore, [28] by these Presents, it is ordained by the Director and Councillors, that from this time forth, until our farther Order and a greater supply of Grain, no Brewer shall be permitted to Malt or Brew any Wheat, under the penalty of the forfeiture of the Malted Wheat and arbitrary correction. And, furthermore, by these Presents, they do interdict and forbid that any Wheat, Rye, or Baked Bread shall be transported out of the Province of New Netherland until the time when, by our more exact estimate of the quantity of Grain and the yearly necessary consumption, our necessary consent to such transportation shall be given. Done and approved in our Session, this 8th November, 1649. Undersigned by

P. STUYVESANT  
L. VAN DINCKLAGE  
H. VAN DYCK  
LA MONTAGNE  
BRIAN NEWTON.

\* This Ordinance was overlooked by the Translator, Doctor Westbrook, and we have been favored with this translation of it, by John Paulding, Esqr.—H. B. D.



[*Original, 21; Translation, 28, 29.*]

WHEREAS the Director and Councillors of New Netherland have been informed, that in and concerning the selling of real estate, such as Houses and Gardens, House-lots, and other lands, there are practised various clandestine abuses and frauds, to the great injury of older creditors :

Therefore, the Director and Councillors of New-Netherland, by these Presents, do charge their Secretary and, in his absence, the first Clerk, not to pass nor sign any transport of Real estate [29] until, at the stated Court-day, it shall have been examined and approved by the Director and Councillors ; Declaring, by these Presents, all Contracts and Transports null and void which, after this date, shall have been passed without their approbation and ratification, or signatures. Done and approved in Session at Fort Amsterdam, this 7th of February, Anno. 1650. Was undersigned by

P. STUYVESANT  
L. VAN DINCKLAGE  
H. VAN DYCK, Fiscaal.,  
LA MONTAGNE.

[*Original, 21; Translation, 29.*]

THE Director General and the Councillors have granted the request of the Bakers, and they have the privilege, for the accommodation of the Community, of baking White Bread (but no Cakes nor Cracknels) Provided they shall bake the White Bread so as to conform in weight with the order of the Father-land. Furthermore, the Bakers are charged and interdicted, that they shall bake the common Bread of naught else than pure Wheat and Rye flour, as it comes from the mill, so that the community may be protected against complaints concerning the poverty and leanness of the common Bread. Dated this 14th April, Anno. 1650, at the Session at Fort Amsterdam.\*

[*Original, 22; Translation, 30, 31.*]

THE Director General and the Councillors of New Netherland, to all persons who may see these Presents, or hear them read, Send Greeting.

Whereas, with great concern, we have observed, both now and for a long time past, the depreciation and corruption of the loose Seawant, among which there are current many that are not perforated and half-finished ; and others made of Stone, Bone, Glass, Muscle-shells, Horns, and

even of Wood ; and broken ones, whereby occasion is given for repeated complaints from the inhabitants, that they cannot go with such Seawant to the Market, nor yet procure for themselves any commodity, not even a mean White-loaf of Bread, nor a Can of Beer, at the Merchants', the Bakers', or the Tapsters', for the loose Seawant, Wherein, according to our best ability, desirous of making provision in this emergency, We have resolved and determined, for the furtherance of business and the general good, that, from this time forth, no loose Seawant shall be current, nor be a lawful tender, except that the same shall be strung on one string, as the general custom has been heretofore. For the purpose of preventing the introduction and the circulation of all clumsy and unperforated Seawant ; for the purpose of making a difference betwixt the commercial Seawant and the strung Seawant ; and in order to prevent all misunderstanding for the time to come, the Director General and Councillors aforesaid do hereby ordain that the commercial Seawant [31] shall be current and be a lawful tender, as formerly, to wit : Six White or Three Black Seawants for one Stiver ; and, on the other hand, the base strung Seawant shall pass, Eight White or Flour Black for one Stiver. We Ordain, by these Presents, and charge all persons, to regulate themselves according to the tenor of these Presents ; and in case of refusal, to abandon their Trade and Business ; and the Fiscal is ordered, by these Presents, after the publication of the same, to affix these and to publish them every where it may be necessary, and to make use of every means to have the same acted upon and executed.\* Done, resumed, and approved at our Session at Fort Amsterdam, this 30th May, Anno, 1650, in N. Netherland.

[*Original, 23; Translation, 31, 32.*]

THEIR High Mightinesses the Director General and the Councillors of New Netherland,

\* Vide Order of Director Kieft and Council, dated November 30, 1647, on this subject.

As early as 1634, Wampum had become, "in a manner, the "currency of the country, with which the produce of the interior was paid for"; and, many years after, (1649) the value of it seems to have been very uncertain.

Stuyvesant seems to have had no desire to meddle with the currency of the country, even when requested by the Selectmen ; and it was made a subject of formal complaint against him, to the Home Government, by Adriaen van der Donck and others, in July, 1649.

Van Tienhoven, in his defence of the Administration, in 1650, said "the reason for not prohibiting *unstrung* wampum "was, because no money was in circulation, and mechanics, "farmers, and the rest of the Commonalty, *having no other "currency, would suffer serious loss."*

Stuyvesant, in the Order before us, evidently made the first allvance to a contraction of this currency ; and we cannot but admire the moderation of his measure.—H. B. D.

\* This Order modified that which had been issued by the Governor and Council on the eighth of November, 1649.

to all persons who may hear, see, or read these Presents, Send Greeting.

Whereas, experience has shown that this fortress, formerly in tolerable state, has been, in a great degree, trodden down by the Hogs, and Goats, and Sheep; and in conformity with the order of their High Mightinesses, the Gentlemen Directors, our Lords, our Superiors, and Patroons, men are now employed in repairing and restoring the same; and it is to be apprehended that as before, it may again become damaged and trodden down by the Goats, the Sheep, the Hogs, or some other Cattle; Therefore, their High Mightinesses the Director General [32] and the Councillors, by these Presents do warn all and every one of the Inhabitants of this place, that, in conformity with our former Proclamations,\* that they shall not suffer to run at large without a Herdsman or Driver, except within their own inclosures, any Hogs, Sheep, Goats, Horses, or Kine, between this place and the Honorable the Company's farm, [*Bouwerij*,†] to the end of their High Mightinesses Pasture-ground, at present occupied by Thomas Hall,‡ nor between the house of Mr. Isaac Allerton,§ in the penalty of Six Guilders, for the first offence; for every Horse, Kine, Hog, or Sheep that may be found within the aforesaid limits for the second time, double fine; and for the third time, the whole shall be confiscated, to be appropriated at pleasure. Done, approved, and published, on the 27th of June, Anno, 1750, at New Amsterdam in New Netherland.

[Original, 24; Translation, 32, 33.]

THE Director General and the Councillors of New Netherland, to all persons who shall hear, see, or read these Presents, Send Greeting:

\* Vide Order of the Director General and Council, dated July 1, 1647, and March 16, 1648.—H. B. D.

† "THE COMPANY'S FARM," subsequently known as "The Duke's farm" and "The King's farm," extended from the present line of Broadway to the North river, and from the southern line of Fulton to a line between Warren and Chambers streets, on the North.—H. B. D.

‡ THOMAS HALL having been already noticed by us, it remains only for us to remark, in this place that he lived, in 1650, "on a little bowerly belonging to the Company." It is not now very clear to us where that "bowerly" was but we are inclined to think it was on the present line of Chatham-street or that of the Bowerly.—H. B. D.

§ ISAAC ALLERTON, one of the celebrated Pilgrim fathers of New England, arrived at Plymouth, in the *Mayflower*, in 1620; and was one of the richest of the Colonists and, for three years, the Assistant of the Colony and its chief Magistrate.

He removed to New Amsterdam at an early date; entered into business with Govert Loockerman, a thriving merchant there, under the firm of Allerton & Loockerman; and was widely respected throughout the Colony.

He was one of the Eight men chosen by the Commonalty, and died in 1659.

He probably lived where he had bought property in April, 1647, on "the strand" of the East river, not far from the present line of Beekman-street.

Whereas, by the daily complaints of the inhabitants, we are informed that our foregoing Order and Proclamation concerning the base strung Seawant, issued for the accommodation and pacification of the inhabitants, under the date of the thirtieth of May, 1650, are not observed and executed according to our good intention and meaning, but that on the contrary such payment has been refused and rejected, even for [33] trifling articles by Shop-keepers, Brewers, Bakers, Tapsters, Mechanics, and Day-laborers, to the great confusion and discommoding of the Inhabitants in general, there being at present no other Specie, with which they can accommodate one another in the articles of their small daily commerce; Therefore, once more, for the accommodation and pacification of the Inhabitants, being desirous of doing whatever is practicable, the Director and Councillors, by these Presents, do Ordain and Decree that, in conformity with our former Proclamations, the base strung Seawant shall be current, and shall be received by every one, without any distinction or exception, in payment for small and daily necessary commodities in house-keeping; and that, on the other hand, the sum of Twelve Guilders or under shall be paid all in base strung Seawant; from Twelve to Twenty-four Guilders, half and half, that is to say, half base and half good strung Seawant; from Twenty-five to Fifty Guilders, one-third base strung and two-thirds good strung Seawant; and in larger sums agreeably to the agreement between the buyer and seller, under the penalty of Six Guilders for the first time's refusal and resisting of these Presents; for the second offence, Nine Guilders; and for the third offence, Two Pounds, Flemish, and a prohibition from his Handicraft and Business, in conformity with our former Proclamations. Done and approved in our Session of the Director General and the Councillors, this 14th of September, Anno, 1650, at New Amsterdam in New Netherland.

## XII.—SLAVERY IN PENNSYLVANIA.

In the Assembly of the Province of Pennsylvania, on the eighth day of May, 1712, at the afternoon session,

"A Petition, signed by *William Southbe*, relating to *Negroes*, was read, and ordered to lie on the table.

"A Petition signed by many of the Inhabitants of this Province, praying the Prohibition of *Negroes*, was read, and ordered to lie on the table."

On the following day, it was

"Ordered, That the Petitions lying upon the



"Table be read, which were read accordingly and considered; \* \* \*

"And to *William Southbe's* Petition, relating to the Enlargement of *Negroes*, the House is of Opinion, it is neither just nor convenient to set them at Liberty.

"Also to the Petition for discouraging the Importation of *Negroes* (sign'd by many Hands) the House agrees, that an Impost of *Twenty Pounds per Head* be laid on all *Negroes* imported into this Province; and that the Clerk provide a Bill, and bring the same to this House."

On the 14th, the Clerk reported that he had prepared the Bill, pursuant to the Direction of the House to him, intitled "*An Act for the laying a Duty upon Negroes imported into this Province*," which he delivered in at the Table. The bill was thereupon read, and ordered a second reading.

On the 15th, the bill was read a second time, debated, and, with some proposed Amendments, committed, with a direction to the Committee on the said bill to include *Indians*, and alter the title accordingly.

On the 20th, a committee of six members was appointed to amend the bill according to the direction of the House, with instructions to report in the afternoon of the following day.

They accordingly reported having made some progress in the matter to them referred, but not having finished the same, desired further time—whereupon the Committee was continued again to report the next day.

On the 22d, the bill was reported "finished," according to the directions of the House.

On the 23d, the bill—"An Act to prevent the Importation of *Negroes* and *Indians* into this Province"—as amended by the Committee, was read a third time, and passed. On the 24th, it was ordered to be engrossed, duly examined, and presented to the Governor for his concurrence.

In the Council, May 27th, 1712, the Governor laid before the board several acts which he had received from the Assembly—among others,

"An Act to prevent the Importation of *Negroes* and *Indians* into this Province; upon which 'tis proposed that,

"No. 1. The officer as in other Cases be appointed by the Govr. & Council & Commissionated by the Govr.

"2. As the Law in such Cases to be made shall Direct, The Words (to be made) to be left out.

"3. Leave out the Concurrence of the Assembly, and also these words, Whereof the Assembly of this Province shall be judge.

"4. A Proviso that no negroe or Indian be longing to this Province, either now out of it or now on Sea, or being sent out hereafter in business into another Government, or accompanying his master, be lyable to pay at his Return.

"5. That the waiting servts. of travelling Gent. may be Intirely exempted without leaving it to y<sup>e</sup> discrecon of the officer."

On the 28th, y<sup>e</sup> proposed amendments were communicated to the House.

Various proceedings followed on the amendments on the following days—none of which as recorded throw any light on the character of the bill or the discussion.

The bill finally passed on the 7th day of June, 1712. It was subsequently transmitted to England for the consideration of the government and the royal approbation, and was without doubt duly submitted to the law officers of the Crown.

The report of Robert Raymond, H. M. Solicitor General, 22d Dec. 1713, refers to this act as follows:

"How far this Act may interfere with the British Interest as to their Trading in *Negroes*, your Lopp's are most proper Judges; But I observe this Act gives a power to break open houses to search upon suspiſion of *Negroes* being there generally, which Extends to Night as well as Day, which power is rarely admitted by our Law in offences of an inferior nature."—*Penn. Archives*, Vol. I., 160.

Her Majesty the Queen, accordingly with the advice of her privy Council, disallowed and repealed the law on the 20th February, 1714. *Ibid.* pp. 161-2.

This act was long supposed to have given to Pennsylvania the precedence in legislation prohibiting the importation of slaves—an error which was exposed in THE HISTORICAL MAGAZINE, (Vol. IX., 35.) The chief feature in it was the import duty of 20l. a head—but there was no restriction upon bringing in any number of *Negroes* or *Indians* for export within twenty days afterwards. The principal reason for the desire to prevent the increase of the number of imported slaves in the province, is to be found in the preliminary reference in the act itself to "Divers Plots and Insurrections not only in the Islands, but on the Main Land of *America*, by *Negroes*, which have been carried so far that several of the Inhabitants have been thereby barbarously murdered, an Instance whereof we have lately had in our Neighboring Colony of New York."

The Act is printed in "The Laws of the Province of Pennsylvania Collected into One Volume, by Order of the Governour and Assembly of the said Province Printed and Sold by Andrew Bradford in Philadelphia, 1714." pp. 165-7.

G. H. M.

NEW YORK, January, 1867.



### XIII.—GEMS FROM THE DIADEM OF MASSACHUSETTS.—CONTINUED.

2.—*The Senate of the Commonwealth on the capture of the Peacock.*

IN SENATE, JUNE 15, 1813.

The following Preamble and Resolution were proposed and laid on the table by the Hon. Mr. Quincy, and adopted by the Senate :

"WHEREAS, a proposition has been made to this Senate for the adoption of sundry Resolutions, expressive of their sense of the gallantry and good conduct exhibited by Captain James Lawrence, Commander of the United States Ship-of-war *Hornet*, and the officers and crew of that ship, in the destruction of His Britannic Majesty's Ship-of-war, *Peacock*: And, whereas, it has been found that former Resolutions of this kind, passed on similar occasions, relative to other officers engaged in a like service, have given great discontent to many of the good people of this Commonwealth, it being considered by them as an encouragement and excitement to the continuance of the present unjust, unnecessary, and iniquitous War: and, on that account, the Senate of Massachusetts have deemed it their duty to refrain from acting on the said proposition; And also, whereas, this determination of the Senate may, without explanation, be misconstrued into an intentional slight of Captain Lawrence, and a denial of his particular merits; the Senate, therefore, deem it their duty to declare that they have a high sense of the naval skill and military and civil virtues of Captain James Lawrence; and that they have been withheld from acting on said proposition solely from considerations relative to the nature and principles of the present War. And to the end that all misrepresentations on the subject may be obviated,

"Resolved, as the sense of the Senate of Massachusetts, that, in a War like the present, waged without justifiable cause, and prosecuted in a manner which indicates that conquest and ambition are its real motives, it is not becoming a moral and religious people to express any approbation of Military or Naval exploits, which are not immediately connected with the defence of our sea coast and soil."

### XIV.—NOTES.

THE EARLY METHODISTS IN AMERICA.—The following letter, from the well-known Bishop Warburton, will serve to further illustrate this

subject, so thoroughly ventilated in the tenth volume of the Magazine.

NEW YORK.

K.

"DEAR SIR,

"What think you of our new set of fanatics, called Methodists? I have seen Whitfield's journal, and he appears as mad as ever George Fox, the Quaker, was. These are very fit missionaries, you will say, to propagate the Christian faith amongst Infidels. There is another of them, one Westley, who is come over from the same mission. He told a friend of mine, that he had lived most deliciously the last summer in Georgia, sleeping under trees and feeding on boiled maize, sauced with the ashes of oak-leaves: That he will return thither, and then will cast off his English dress, and wear a dried skin like the savages, the better to ingratiate himself with them. It would be well for virtue and religion, if this humour would lay hold generally of our overheated bigots, and send them to cool themselves in the Indian marshes. I fancy that Ven and Webster would make a very entertaining, as well as proper figure, in a couple of bear skins, and marching in this terror of equipage, like the Pagan priests of old.

"Jamque sacerdotes primusque potitus ibant  
"Pellibus in morem cineti, flammisque ferebant.

"Dear Sir, do me the justice to believe, that nothing can be more agreeable than the hearing of you, but the hearing from you; and that I am

"Your very affectionate and obliged humble  
servant,

"W. WARBURTON.

"To Mr. Des Maizeaux,  
"NEWARK, Sept. 13, 1738."

SUIT FOR THE POSSESSION OF A LETTER FROM GEORGE WASHINGTON—THE FIRST TROOP, PHILADELPHIA CITY CAVALRY.—Mr. Wain, solicitor for the First Troop, Philadelphia City Cavalry, recently filed a bill in the Supreme Court for the Eastern District of Pennsylvania, for the purpose of obtaining possession of a letter sent by "George Washington to the Troop, January 23d, 1777."

The complainants say: FIRST. That some time in the year 1774, a military company was formed by the association of twenty-six gentlemen, residents of the city of Philadelphia, under the name of the Philadelphia Troop of Light Horse, for the defence and vindication of the rights of the

country, then threatened by the arbitrary legislation of Great Britain, &c.; said organization was officially recognized by the military authorities until the fourth of April, 1863, on which day it was incorporated, under the title of "The First Troop, "Philadelphia City Cavalry," by the Legislature of the State of Pennsylvania.

SECOND. That the gentlemen composing the said Troop served voluntarily and without pay, furnishing their own horses and equipments, during the several trying campaigns of the Revolutionary war, from 1776 to 1783, and during all that time, by their gallantry and discipline, gained the approbation of the illustrious Washington, as Commander-in-Chief, and enjoyed his friendship during the subsequent years of peace until his death. They have since participated by active service in the wars of 1812, '13 and '14, and during the rebellion in 1861-2.

THIRD. That during the campaign of 1777, the then Captain and first officer of the Troop, Samuel Morris, received an official letter from General Washington, as Commander-in-Chief, dated January 23, 1777, at Head-quarters, which said letter was an official letter from the highest officer of the armies to the official head or officer in command of the said Troop, and containing an Order regulating the disposition of said Troop, and expressing the thanks of the General, to "the gentlemen who compose the Troop, for the essential services they have rendered their country."

FOURTH. That said letter, which they pray may be taken as part of this bill, was directed to the "Philadelphia Troop of Light Horse," then under the command of Captain Morris, which said company is the same since incorporated as "The "First Troop Philadelphia City Cavalry," and being an official Order to the Troop, and fixing its rights and duties in military law and usage, it properly and of right belongs to the Troop and to its military archives.

FIFTH. That said letter was received by Captain Morris, in trust for the use and benefit of the Troop, and as their property; and that they are informed, and believe, that said original letter has recently come into the possession or custody of the defendants, Messrs. S. B. and E. P. Morris. The complainants therefore ask that the original letter may be produced and delivered to the Troop as their property.

*The following is a copy of the original letter referred to:*

"The Philadelphia Troop of Light Horse, under the command of Capt. Morris, having performed their tour of duty, are discharged for the present.

"I take this opportunity of returning my most

"sincere thanks to the Captain, and to the gentlemen who compose the Troop, for the many essential services which they have rendered their country, and to me personally, during the course of this severe campaign. Though composed of gentlemen of fortune, they have shown a noble example of discipline and subordination, and in several actions have shown a spirit and bravery which will ever do honor to them, and will ever be gratefully remembered by me.

GEORGE WASHINGTON.

"HEAD-QUARTERS, MORRISTOWN, }  
"Jan. 23, 1777." }

JULY 4, 1776.—We take pleasure in making room for the following communication:

"HISTORICAL SOCIETY OF PENNSYLVANIA, }  
"PHILADELPHIA, Jan. 26, 1867. }

"SIR:

"I enclose a resolution adopted by the Historical Society of Pennsylvania, at its last monthly meeting, namely, on the 14th inst. As it relates to 'The Hancock chair,' and the table on which the Declaration of Independence was signed, it may be of sufficient interest for publication in your useful Magazine:

"'THE CHAIR OF JOHN HANCOCK AND THE TABLE OF INDEPENDENCE.—At the last monthly meeting of the Historical Society of Pennsylvania, Vice-President Dr. Coates in the chair, the following resolution was offered by Colonel Snowden, accompanied with some appropriate remarks, and was unanimously adopted:

"'Resolved, That this Society has learned with lively satisfaction that the Legislature of Pennsylvania has authorized the return to the Hall of Independence, in this city, of the chair occupied by the President of Congress, John Hancock, when the Declaration of Independence was passed, and the table upon which that immortal document was signed; and that a Committee be appointed to co-operate with the State and City authorities in such ceremonies as may be appropriate when these interesting memorials of the Revolution are returned to this city and placed in the Hall of Independence.

"The following named gentlemen have been appointed as the committee: James Ross Snowden, John Jordan, Jr., William A. Porter, William Duane, Chas. M. Morris."

\* Ruffin, in *Sketches of Eastern North Carolina*, 254, speaks of finding in South Carolina leaves of the *P. Australis*, 19½ inches long.

"The Continental Congress occupied the room in the State House, now called the Hall of Independence, theretofore used by the Colonial Legislature. The Speaker's chair was used by the President of the Congress.

"In 1799, the seat of Government of Pennsylvania was removed from Philadelphia to Lancaster; the Speaker's chair and the table above mentioned were removed thither, where they remained until 1812, when the State Government was removed to Harrisburg. Since which period, and until the present time, the venerable chair of Hancock has been occupied by the Speakers of the House of Representatives of Pennsylvania.

"I occupied this chair, as Speaker of the House, during several sessions of the Legislature. My attention was attracted to the fact that on the back of the chair there is a representation of the sun, with about half its disk above the horizon. This recalled to my recollection the following incidents related to me by my father. When the Declaration was signed, Dr. Franklin remarked that he had often looked at that representation with anxiety and solicitude, whether it indicated the *rising* or the *setting* sun, but now that Independence was declared, he was satisfied it was emblematic of the *rising* sun which would, in the course of time, illuminate the world.

"I am, with great respect,

"Your obedient servant,

"JAMES ROSS SNOWDEN,

"Corresponding Secretary

"His. So. of Penn.

"EDITOR HIST. MAGAZINE,

"New York."

MASSACHUSETTS ELECTION SERMONS.—I desire to add one name to the list of preachers, which appears to have escaped attention hitherto—that of RICHARD MATHER of Dorchester, as having preached the sermon of 1644. On the 7th of March, 1643-4, the records show "Mr. Madder to be desired to prepare himself to preach to ye assembly at ye next Court of Election." *Mass. Records, II*, 62. On the 29th May, it was "ordered, the printer shall have leave to print the election sermon w<sup>th</sup> Mr. Mather's consent, & the artillery sermon, w<sup>th</sup> Mr. Norton's consent."\* *Ibid*, 71.

If these sermons were printed—Mather's may have been the first one in the series ever given to the press. Dr. Pierce, whose account of these

sermons, continued by Mr. William B. Trask, is the recognized authority on the subject, gives Norton's sermon in 1661, as the first printed Election Sermon, within their knowledge. But this sermon, although preached in 1661, was not printed until after Higginson's famous sermon of 1663. And a reference to the latter by Cotton Mather in his funeral sermon, 1709, shows that if his grandfather's sermon in 1644 had been printed he at any rate was ignorant of the fact.

Referring to the fervency and frequency of the venerable Higginson's testimonies to the Cause of God and his People in New England, he says "He Stated that Cause in a Sermon at our "Greatest Anniversary Solemnity; & it is, I suppose, the *First-Born* by the way of the Press, "of all the *Election Sermons*, that we have in our "Libraries."

G. H. M.

NEW YORK.

MISTAKES IN PORTRAITS.—Singular mistakes are made in this respect in otherwise reliable books, which show a carelessness not expected. I will mention a few modern and recent instances.

In the first volume of GREELEY's *American Conflict*, one of a group of loyal Navy officers is the engraving of what purports to be "Commodore Henry W. Morris, U. S. N.," who took the U. S. ship *Pensacola* past the Potomac batteries, and commanded the same ship in Farragut's fleet at New Orleans. The portrait, however, is that of Commodore Charles Morris, U. S. N., distinguished in the war of 1812-14, and who died, Chief of the Bureau of Ordnance, long before the commencement of the War of the Rebellion.

The next error of the kind I have to notice is in an article in *Harper's Magazine*, for 1866, entitled *Heroic Deeds of Heroic Men*, in which there is a wood engraving given of Rear Admiral Lewis M. Goldsborough, U. S. N., which is in reality a likeness of his brother, Captain John R. Goldsborough, U. S. N., now commanding the *Shenandoah* in the East Indies.

A few days since I was invited to subscribe for a work entitled *Farragut and our Naval Heroes*, in which the same error was perpetuated in a steel engraving. As I happen to own a copy of the photograph from which these engravings were copied, and John R. is an old friend, I can testify to their being a truthful likeness of him, but not of his twice as big brother.

In the sixth volume of that very reliable work, *The Rebellion Record*, which I have, there is a fine steel engraving inscribed "Brig. Genl. Godfrey Weitzel," which is in truth a very good likeness of Brigadier General George Shepley, for some time Military Governor of New Orleans.

Having the honor of an acquaintance with all

\* The reader will observe that this adds a new and earlier name and date to the list of preachers at the Artillery Election.



the gentlemen herein mentioned, I can speak authoritatively on the subject of these engraved portraits. P.

NAVY YARD, CHARLESTOWN.

"HISTORIC FACTS."—At the dedication of the Library of the New York Historical Society, on the third of November, 1857, several eminent gentlemen addressed those assembled. The following extract from the remarks of one of the venerable gentlemen was to the point, and "gives us a correct idea of existing society" at that period:

"A little incident like the advertisement in a paper, than which nothing can be more common or insignificant, may give to us a correct illustration of the state of society. In our archives there is a file of the *Boston News Letter*, the oldest newspaper published upon this continent. Cast your eye over its pages, and you will be convinced that smutty chronicle is the index of the greatest revolutions of Providence. On the thirteenth of November, 1732, you will find an advertisement which reads as follows:

"This day, at 4 O'Clock, will be Sold at public vendue, at the Sun Tavern, a parcel of red & blue muslins, perperets, & threads, for the GUINEA TRADE.

"Also, three or four very likely negroes, just arrived. All to be Seen at the place of Sale."

"The African slave trade in the city of Boston, a little more than one century ago! A good thing would it be for us to be more familiar with these historic facts, that we may sprinkle our fervor with a little cool patience."

Boston.

C.

UNPUBLISHED LETTER FROM WASHINGTON.—*The Cincinnati Enquirer* says the following letter was never made public until it appeared recently in the columns of that paper. An especial interest attaches to it from its having been written soon after the adjournment of the Convention of 1787:

MOUNT VERNON, Oct. 10, 1787.

MY DEAR SIR: I thank you for your letter of the 30th ultimo. It came by the last post. I am better pleased that the proceedings of the Convention are handed from Congress by a unanimous vote (feeble as it is) than if it had appeared under stronger marks of approbation without it. This apparent unanimity will have its effect. Not every one has opportunities to peep behind the curtain, and, as the multitude often judge from externals, the appearance of unanimity in that body on this occasion will be of great importance.

The political tenets of Colonel Mason and

Col. R. H. Lee are always in unison. It may be asked which of them gives the tone? Without hesitation, I answer the latter, because the latter I believe will receive it from no one. He has, I am informed, rendered himself obnoxious in Philadelphia by the pains he took to designate his objections among some of the leaders of the seceding members of the Legislature of that State. His conduct is not less reprobated in this country.\* How it will be relished generally is yet to be learnt by me.

As far as accounts have been received from the Southern and Western counties, the sentiment with respect to the proceedings of the Convention is favorable; whether the knowledge of this, or convictions of the impropriety of withholding the Constitutions from State Conventions, has worked most in the breast of Colonel M., I will not decide—but the fact is, he has declared unequivocally (in a letter to me) for its going to the People; had his sentiments, however, been opposed to the measure, instructions, which are given by the freeholders of this County to their Representatives, would have secured his vote for it. Yet, I have no doubt but that this assent will be accompanied by the most tremendous apprehensions and highest colorings to his objections. To alarm the people seems to be the ground-work of his plan. The want of a qualified Navigation Act is already declared to be a means by which the produce of the Southern States will be reduced to nothing, and will become a monopoly of the Northern and Eastern States. To enumerate all his objections is unnecessary, because they are detailed in the Address of the seceding members of the Assembly of Pennsylvania, which, no doubt, you have seen.

I scarcely think that any powerful opposition will be made to the Constitution being submitted to a Convention of the People of this State. If it is given, it will be at that meeting, in which, I hope, you will make it convenient to attend. Explanations will be wanted. None can give them with more precision and accuracy than yourself. The sentiments of Mr. Henry with respect to the Constitution which is submitted, are not known in these parts. Mr. Joseph Jones (who, it seems, was in Alexandria a few days before my return home) was of opinion that they would not be inimical to it; others, however, conceive that, as the advocate of a paper emission, he cannot be friendly to a Constitution which is an effectual bar.

From circumstances which have been related it is conjectured that the Governor wishes he had been among the subscribing members; but

\* In thus speaking of Virginia as a distinct 'country' from Pennsylvania, General Washington was only following his usual custom, as seen in various parts of his writings.—Ed. HIST. MAG.

time will disclose more than we know at present with respect to the whole of this business; and when I hear more I will write to you again. In the meanwhile I pray you to be assured of the sincere regard and affection with which I am, my dear sir, your most obedient and very humble servant,  
G. WASHINGTON.

P. S. Having received (in a letter) from Colonel Mason a detail of his objections to the proposed constitution, I inclose you a copy of them.

JAMES MADISON, JR., ESQ.

### XV.—QUERIES.

SUNDRY QUERIES.—1. With whom did Colonel William H. Maxwell, of the New York Bar, fight a duel at Hoboken, killing his man? (The same place, I believe, where Hamilton fell?)

2. In what part and in what edition of Jeremy Bentham's works is there any account of his dog? I have an anecdote which talks of being treated "like Jeremy Bentham's dog," and do not understand it.

3. What men of the profession, of the State of New York, outside of their law duties, have originated any great or meritorious public works or benefits?  
E.

NEW YORK CITY.

INTER-STATE EMBARGOS.—Were embargos ever laid, to control the commerce between the several States in the Union?  
DICK.

BRONXVILLE, N. Y.

VANDYKE.—It has been so long and persistently asserted, or assumed, that the favorite though least characteristic portrait of John Winthrop was painted by Vandyke, that it passes for true, whether it be so or not. Doubtless this sort of repute is well enough to gratify vanity and "feathers," but it is not well for the credit of those so easily gratified, and not so inviting to the confidence of others who look for proof in support of assertions.

In March, 1629-30, Winthrop was "aboard" ship, waiting a wind for New England. What was the *exact* date of Vandyke's second visit to England, and when and where could he have painted the portrait of Winthrop?  
QUERY.

BOSTON, MASS.

### XVI.—REPLIES.

CORRECTION (VOL. X., SUPPLEMENT, P. 96).—Mrs. Judge Charles A. Dewey was a daughter of General James Clinton, and a half-sister of Governor Dewitt Clinton.  
E. C. B.

NEW YORK.

YANKEE DOODLE (H. M., VOLS. I., II., III. IV.).—An interesting article, with poetical lines adapted to that air, is to be found in the third volume of Farmer & Moore's *Historical Collections of New Hampshire*, pp. 157-160, 217.

BOSTON, January, 1867.

J. C.

EMANUEL SWEDENBORG.—The time of commencing the year has varied in Europe in different ages. Up to 1751, the year began, in England, and probably in Sweden to a later period, on the 25th of March, and therefore events happening between January 1st and March 25th prior to that time, were afterwards reckoned as of one year or another according as the old or new style was followed. Thus the Revolution commonly called that of 1688, really took place in 1689; and as Swedenborg was born January 29th, he would, with his usual accuracy, writing to an Englishman in 1769, after the style was changed, say that he was born in 1689; although at the time of his birth, the year 1688 was not yet ended.  
T. H.

NEW YORK.

### XVII.—PROCEEDINGS OF SOCIETIES.

#### 1.—BOSTON NUMISMATIC SOCIETY.

*Boston, Thursday, December 6th, 1866.*—The monthly meeting of this Society was held to-day. The Secretary read the report of the previous meeting, and a letter from Dr. Charles Clay, of Manchester, England, accepting Honorary Membership in the Society. It inclosed a rubbing of a curious copper piece dated 1757; on one side is an Indian with skins at a shop-door, and the inscription, "The red men come to Eltons daily;" on the reverse, "Skins bought at Eltons." Nothing is known of its origin. The President announced a donation of some new French medalets from W. P. Jarves.

A vote was passed, appointing the President and Secretary a Committee to take charge of the printing of the Constitution and By-Laws of the Society, with a list of its members. The Secretary showed a parcel of gold and silver bought at Constantinople a year ago. Among the former were a beautiful stater of Lysimachus of Macedon, and several coins of the Byzantine Empire, generally of a very poor and debased style of art. The silver comprised a great variety, such as is found in Constantinople more easily than almost anywhere else. The series began with a specimen of the very early coinage of Ægina, and included, among the antique pieces, money of Athens, of Philip and Alexander of Macedon, of kings of Syria, of several emperors of Rome, and





papers read, several of which have been published.

The report of the Committee on the Biography of Deceased Members was then presented.

The Report of the Publishing Committee was read by the Secretary, in behalf of John Ward Dean, Chairman, giving a particular statement of the Society's publications during the past year.

Augustus T. Perkins, in behalf of Wm. H. Whitmore, Chairman, read the report of the Committee on Heraldry. During the last year the *Heraldic Journal* has thrown new and important light upon the genealogy and heraldry of the Washington, Hutchinson, Dudley, Norton, Lowell, Temple and other families.

The thanks of the Society were voted to the President, ex-Governor Andrew, for his elegant, learned, and appropriate address, and a copy was requested for the press.

The thanks of the Society were voted to Rev. Dr. Dexter, for his services as Corresponding Secretary, he now retiring on account of the pressure of other duties. All other retiring officers were also included.

Wm. B. Trask, the historiographer, reported that during the past year twenty-two members had deceased, brief memoirs of most of whom had been prepared.

William B. Towne, Chairman of the Trustees of the Barstow Fund, reported that two hundred and thirty volumes had been bound from the income of this fund during the past year, leaving a balance of \$116.80 of the income unexpended.

Hon. Charles B. Hall, one of the Trustees of the Towne Memorial Fund, reported that the income has accumulated during the past year, and the fund now amounted to \$1215.93. The purpose of the income of this fund, in accordance with the wish of the donor, is eventually to publish a memorial volume, when the Society shall deem it expedient.

The report of the Trustees of the Bond Fund, which is devoted to the purchase of historical books, was read by Col. A. D. Hodges, Chairman.

### 3.—LONG ISLAND HISTORICAL SOCIETY.

At the meeting of this Society, held on Thursday evening, the third of January, Professor ALPHEUS WOOD, the Botanist, read a paper entitled *Mountain Views in Oregon*.

He gave a most graphic description of the great mountain ranges of Oregon. The substance of his remarks was as follows:

Portland, in Oregon, he said, was situated on the left bank of the Willamette river, near its junction with the Great Columbia, and one hundred miles from the Pacific ocean. The site of the city was level. Although the inhabitants

numbered eight thousand persons, many stumps of trees were to be found near the dwellings, and the close proximity of the forest reminded one of the fact that the country had been comparatively recently settled. The general surroundings were like those of Cincinnati. From the heights in the rear of the city, extensive views were to be had, and thither, at a height of twelve hundred feet above the river, the speaker wended his way, and found an opening in the forest growth, at the cottage of Judge Markham. Taking a proffered chair and telescope, the scenery presented to the view of the speaker was scarcely to be described, it was so grand. To the East was a large range of mountains, the Cascade range, being sixty miles distant, and extending two hundred miles to the North and South. There stood eight grand, snow-capped volcanic pyramids, beyond the green scenery of the intervening forests; there were four in the State of Oregon and four in Washington Territory. Directly in front Mount Hood reared his lofty head, while to the south were Mounts Jefferson, Three Sisters and McLaughlin; on Diamond Peak, and to the north of Mount Hood were Mounts Adams, St. Helens, Rainier and Baker, the latter being named after the hero of Ball's Bluff. Thus the speaker had a good view of the Cascade range, particularly of Mount Hood, which it was his intention to visit. The mountain ranges of Oregon State and Washington Territory were three in number: first, the Coast range; second, the Cascade, one hundred and fifty miles distant; and third, the Blue Mountains, two hundred and fifty miles distant.

The excursion to Mount Hood was made in the month of August, according to an arrangement made some time previous with Rev. Dr. Atkinson. The party, at the start, consisted of thirteen persons, three being ladies. With provisions for eight days, guns, ammunition, etc., and two aneroids, the party took the well-known Emigrant Road, through the forest, in the direction of Mount Hood. In Oregon, the forest consisted mostly of a monotonous continuation of red fir trees, from six to ten feet in diameter, and from one hundred to two hundred feet in height. Game, such as deer and bears, was to be found in plenty; likewise fruits and berries. On the seventeenth of August, the party encamped at the foot of Mount Hood, whence rushed a clear stream of water, coming from the snow above. This stream was surrounded by beautiful flowers, and the atmosphere was delicious here, at which a height of four thousand two hundred feet above the sea was indicated. After a rest, during which divine service was held, on Sunday, eight of the party started on Monday, the twentieth, on horseback, through the trackless forest, the ascent being at an angle of twelve degrees. Soon snow banks were found and the vegetation grew

scarcer, until it almost ceased. Where the trees became scarce, a meadow of beautiful grass was found, and here the horses were left, at an elevation of eight thousand eight hundred feet above the sea. The last tree seen was a crooked pine, fifteen feet in height, a short distance beyond which was found a cedar-like vine, and then nothing but snow and soil was to be found, the latter being a sprinkling of volcanic ashes. The ascent here was from twenty to twenty-five degrees. Further on all soil was lost sight of, and a field of pure snow of vast depth, extent and acclivity lay before the travelers when they had reached a height of ten thousand six hundred and fifty feet. A warm south wind was blowing, very suggestive of an avalanche. The ascent grew still greater, and was estimated at an angle of from thirty to thirty-five degrees. After resting for a time the party got ready five snow pikes, each eight feet long, and a rope fifty yards long, and commenced the ascent, which was continued until they arrived at the brink of an awful gulf, looking down the sides of which nothing but an unfathomable glacier of blue ice was to be seen, while below could be heard the rushing of water. The breadth of this chasm at the surface was from ten to one hundred feet, and its length as far across the path of the travelers as could be discerned. Young Atkinson, about eighteen years of age, was made the leader, and by an arrangement of the pikes he crossed the awful abyss; after which all the others crossed but two, the rope being also used to assist in the dangerous task. Two of the party refused to venture, and were left behind. On the other side of the chasm commenced a glacier of ice and snow, rising at an angle of from fifty-five to sixty degrees. Up this climbed the travelers, Young Atkinson taking the lead alternately with another one of the party. The leader would go ahead the length of the rope, which he would secure, when the others would follow. This process was continued to the summit of the mountain, where the travelers found themselves standing on the northern wall of a crater, with a precipice one thousand fathoms deep on the other side. Down the side of this precipice the rock was bare, and at the base could be seen an avalanche of inconceivable vastness. To look down this precipice, it was necessary for the beholder to lay flat upon the rock. From this pinnacle of pillared rock, raised high above the ordinary region of clouds, the venturesome travelers beheld a view which truly beggared description. Nearly all of Oregon and Washington was visible at a glance. To the North and South rose spectre pyramids; to the East the horizon was clear to the Rocky Mountains; to the West rolled the Pacific Ocean; while nearer were the evergreen forests and hills,

through which could be traced the course of the Great Columbia River. It seemed as if the world was spread out to view. The wind was tempestuous in force, and at times startled the listeners with its rumblings and howlings amidst the rocks, snow and ice. To the East an avalanche started, taking rocks in its fearful course, and awakening the thunders of the grand old Hood. The aneroids failed to agree, but after twenty attempts a fire was lit, and the thermometer in boiling water indicated a height of seventeen thousand feet above the sea. This eleven miles above the base of the mountain. The crest from which the view was obtained was a volcanic rock in the form of a crescent, half a mile long and from six to sixty feet in breadth. The lava found there was of brilliant colors. The snow on Mount Hood was only superficial; the mountain itself was volcanic, and its fires were not extinct, as was proven by the steaming, sulphurous smoke issuing from an open gorge. The travelers retraced their steps until they came to the chasm, which this time they were compelled to leap, a young man named Deerdorf taking the lead, but being safely followed by the others. This leap was a frightful necessity, but was made in the first instance with the rope round the waist of the leaper. Without any casualty whatever the party of six returned to camp, where they found the two who would not cross the chasm had suddenly gone some distance on their downward journey by missing their footing. The speaker concluded by reckoning the height of Mount Hood at seventeen thousand feet; Jefferson, sixteen thousand; Rainier, fifteen thousand five hundred; Sharsa, fourteen thousand seven hundred; Pike's Peak, thirteen thousand; and therefore concluded that what Mont Blanc was to Europe and Chimborazo to South America, Mount Hood should be to North America.

Professor Wood was listened to with deep attention by a crowded audience, and at the conclusion of his paper the thanks of the Society were voted to him.

Another meeting of the Society was held on Thursday evening, the seventeenth of January, when Rev. JOHN W. CHADWICK, of Brooklyn, read a paper on the "Life and Times of Saint Bernard."

The following are the names of members elected in January:

*Honorary Member*—Hon. William H. Tut-hill, of Iowa.

*Corresponding Members*—Miss Frances M. Caulkins, of New London, and Hon. Nicolas Pike, U. S. Consul to Mauritius.

*Resident and Life Members*—George Allin, John N. Bonestell, Geo. S. Belknap, Rev. Henry Blanchard, Andrew G. Coffin, Frederick D. Clark, Joseph P. Davis, Edmund C. Fisher, Prof. Gil-



bert L. Hume, Samuel Hunter, Prof. C. Fred Hartt, Edward H. Kidder, E. B. Litchfield, T. D. Middleton, J. S. Redfield, Prof. Rufus Sheldon. W. H. M. Sanger, Ira N. Stanley, Milton W. Smith, Frederick Thompson, J. G. Wilbur, M.D., Thomas J. Whitman, Jere. W. Walker, Horace Waters, John G. Schumaker, Mrs. Isaac Hall, John Truslow, Augustus Ford, William Duval, Henry W. Sage, Rufus R. Graves, John Davol, Wm. W. Wickes, Rev. John C. Ager, Hon. Demas Barnes, Henry M. McCorkle, Win. W. Hooper, Frederick N. Stanley, James L. Morris, Saml. S. Stevens, William L. Polley, M. H. R. Styles, William M. Parks, Eli Robbins, William Waring, Jr., Col. Charles O. Belden, F. W. Boell, Jr.

### XVIII.—BOOKS.

#### 1.—RECENT PUBLICATIONS.

1. *Advice to the officers of the British Army.* A facsimile Reprint of the Sixth London Edition. With Introduction and Notes. New York: Agathynian Club, 1867. Octavo. Bastard-title, blank, title-page, blank, xx, 136, 5.

In this handsome volume, from the Bradstreet Press, we have the first issue of the newly-organized Agathynian Club, whose elegantly-printed circular recently found its way into every library of consequence in the country. It is a reproduction of Captain Grose's satirical tract, in which the different grades of His Majesty's army, from the Commander-in-Chief to the Drummer, were ironically advised concerning what were not their respective duties, as Swift had advised the servants of his day, with the reasons why they should do or fail to do just the opposite of what was expected or desired from them.

As an instance of the superior ability of this accomplished satirist, we cite his opening sentence, addressed to the Commander-in-chief: "A Commander-in-chief is to the army under his command, what the soul is to the body: it can neither think nor act without him: and, in short, is as perfect a non-entity without its commander, as a wife is without her husband. You must, therefore, through pure good-will and affection for your troops, take care of your own sacred person, and never expose it to any dangers. You have not arrived at this rank without knowing the folly of knocking one's head against a post, when it can be avoided. When any service of danger is to be performed, you should send your second in command, or some inferior officer—but whomsoever you send, if he succeed in the business, be sure to take all the merit of it to yourself."

Thus, also, he advised the Sergeant: "In any dispute respecting the enlistment of a man, you may safely give your testimony or oath for the

"fairness of the transaction, although you were not present, nor saw any thing of the matter. It is for the good of the service."

In the Notes, the distinguished Editor has traced the applicability of some of this "advice" to the Armies of the United States, as well as the precision with which that highly disciplined body has long since practised it—like causes producing like effects.

The Introduction is appropriate and well-written; and the Editor, of whom it may only be said that he is no novice in the service, has generally performed his duty with taste and ability.

The edition numbered a hundred and twenty copies, of which a hundred were sold to subscribers, the others given away.

2. *Publications of the Narragansett Club.* (First series.) Volume I. Providence, R. I., 1866. Small quarto, viii., 60, 224, 112.

This, like the volume last described, is the first issue of a newly organized Club; and we cordially congratulate the Society on its successful establishment, and as cordially welcome the first-fruits of its labors in the cause of American literature.

The opening article is a Biographical Memoir of Roger Williams, by R. A. Guild, Esq., the librarian of Brown University—not such a paper as should have been written for the Narragansett Club, but still a generally well-written and modest sketch of the life and writings of one of the remarkable men of the world; a representative man, although by no means a consistent one, in all respects.

Our dissatisfaction with some portions of this Introductory Memoir arises mainly from what we conceive to be its Author's failure to explore new fields of material and to avail himself of the details of the evidence concerning Williams, both those which were visible, but untouched, before Knowles and Gammell, Underhill and Elton, Staples and Arnold, wrote, and those which have been more recently uncovered in the published Records of the Bay Colony and in the invaluable collection of papers belonging to Hon. Robert C. Winthrop, and published by the Massachusetts Historical Society.

As an instance of this unwelcome looseness we notice the following: On page 8, Mr. Guild says: "He" [Williams] "was admitted to orders in the established Church, and assumed, it is said, the charge of a parish, probably in the diocese of the excellent Dr. Williams, then Bishop of Lincoln," etc.; yet he tells us, on the next page—what many of us have long since known—that John Cotton of Boston, in Lincolnshire, was his intimate friend in England; that they rode, to and fro, between that market-town and the neighboring village of Sempringham; and that



they discussed, as they went, the great principles of politico-religion, without seeming to have discovered, himself, what some of us have long since seen, that this very statement, written by Williams himself, was the end of a thread, hanging from the entangled reel of evidence concerning Williams's early life, which such a man as Mr. Guild, if competent to his task, should not have left unnoticed nor unfollowed.

Mr. Guild's weakness is also evident in his observations concerning Williams's refusal to become the teacher of the Church at Boston, (p. 11) and in those concerning that gentleman's "views" relative to the yet unbroken "communion with the churches of England" which prevailed in that church—"views," which the Biographer tells us, (p. 13) "cannot now be fully known," although Williams himself has said (P. 11) he could not "conscientiously" accept the call "BECAUSE I durst not officiate to an UNSEPARATED PEOPLE, AS UPON EXAMINATION AND CONFERENCE, I FOUND THEM TO BE."

We should have been better pleased than we now are, also, if Mr. Guild had given us an authority or two to prove, what he says is true, that "they [Winthrop and his associates] "had dissolved all connection with the church at home, by coming to this country." We never saw any evidence to sustain such a theory; and Williams seems to have been similarly ignorant when, for the existing *opposite* cause, he declined to become their teacher: it has remained for Mr. Guild to show that the Church at Boston was really composed of genuine Separatists, and that Williams, when he not had discovered that fact, and consequently would not accept office among them, was very much of an ignoramus.

We have not sufficient space to devote to a more extended notice of this part of the volume; and we dismiss it with a regret that Roger Williams still demands a Biographer who shall do justice to his character and his conduct, as they appeared in the fens of Lincolnshire, in the two Colonies of Massachusetts Bay and Plymouth, and in that of Rhode Island.

*The Key unto the Language of America*, by Roger Williams, edited by Hon. J. Hammond Trumbull, of Hartford, which follows this Introductory Memoir, will commend itself to every scholar. There is no one who is so well qualified as Mr. Trumbull, for such a peculiar task as that which was imposed on the Editor of this *Key*; and there is no more conscientious writer among those who have assumed to tell of the Past of America. Thoroughly conversant with his subject, resolutely fearless in what he shall undertake to narrate, not afraid to expose his authorities lest some others should follow him to test his fidelity, Mr. Trumbull has given in his Introduction and foot-notes to this tract, the best evi-

dence of the good judgment displayed by the Club in securing his co-operation, while he has, also, strengthened his position as one of the most accurate and judicious of our historical writers.

*Mr. Cotton's Letter on Church-membership and Mr. Williams' Reply*, edited by Mr. Guild, with no more success than appears in his first article, close the volume.

As a specimen of typography this volume is highly creditable to "The Providence Press Company" whose imprint it bears—indeed some of our noted establishments in New York may usefully take pattern from it—and we are well satisfied with its appearance, in every respect.

The edition numbered two hundred copies at five dollars each.

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3. *Records of the New York Stage, from 1750 to 1860.* By Joseph N. Ireland. In two volumes Vol. I. New York: T. H. Morrell. 1866. Octavo, pp. iv., 663.

In this well-printed volume Mr. Ireland has traced the history of the Stage in New York, from its origin, in 1733, until the year 1832, with a well-directed zeal, which is as refreshing as it is uncommon.

There are few persons—none, indeed, who have not tried the experiment—who can imagine how much hard work has been spent in the collection of the materials which have been swallowed up in each page of this volume; and, although the minute details of every cast of characters which has figured on our boards may seem somewhat similar to the display of play-bills which stare at us from every corner, we cannot but admire the laborious fidelity with which they have been properly placed in what assumes to be a permanent *Record of the New York Stage*.

Nor are we disposed to find fault with the comparatively scant supply of anecdotes and other incidental matter which we find in the book. It is very evident that Mr. Ireland was obliged to choose which of the two he would omit from his well-filled volume, the material legitimately belonging to the *Record*, or the ornamental portions; and that he wisely retained the former at the expense of the latter and of the pleasure of some of his less considerate readers. He did well in doing so; and we rejoice that another has been found who is willing to do his duty, even if he shall lose something by doing so.

There is one thing, however, which we cannot excuse—the omission to notice more fully the Theatre Royal of the Revolutionary era. This is one of the most important subjects connected with the History of the Stage in New York; and as the material was perfectly accessible, ready for his immediate use, and offered to him in a collected form, we cannot account for Mr. Ireland's sad omission of it.

The typography of this work is highly cred-

itable to the Bradstreet Press, although not equal to the best specimens of its publications; and we only regret that the Publisher did not afford a quality of paper which was more worthy of the volume.

The edition numbered two hundred and sixty copies, of which sixty were quarto, and two hundred octavo.

4. *Nathaniel Greene. An Examination of some Statements concerning Major-general Greene, in the Ninth Volume of Bancroft's History of the United States.* By George Washington Greene. Boston: Ticknor & Fields, 1866. Octavo, pp. 86.

If we are to judge from mere appearances, Mr. Bancroft has very suddenly fallen from the very enviable position which he formerly occupied, and become, instead of a first-class historian, a mere slipshod and unreliable scribbler.

It is not, however, our business in this place to ascertain how nearly the appearances agree with the truth, although it might be useful to inquire how this sudden change has been produced; if Mr. Bancroft was ever more reliable than he is now, or any less entitled, to-day, to the unmeasured honors of last year than he then was; and if there is not a middle course—that he is just as good a man and just as reliable a historian as he ever has been, only he has recently trodden on some gouty foot and raised a commotion among those whose feelings he has injured by the clumsiness of his movements.

We have read History with a very different result, in some instances, from that which Mr. Bancroft's studies have produced. We think Greene and Sullivan, Schuyler, and Wayne, and Reed, among others, have not merited all the censures he has heaped on them; and we are not quite sure that he has always fully understood the subjects, especially concerning military movements, on which he has undertaken to pass judgment.

As an instance, we may refer to the loss of Fort Washington—one of Greene's assumed weak points—in which we are quite sure that the chief element of that terrible disaster, at least, has been entirely overlooked in his narrative. He failed, therefore, we conceive, to do exact justice in the premises, either to Greene or Washington. He censured the former for results for which neither he nor any one under his control was justly liable; he failed to condemn those who only were liable to be censured, for both the passage of the enemy's ships up the river and the subsequent surrender of the fort; and he does not seem to have placed the Commander-in-chief in exactly the position, in his narrative, which he really occupied in the field.

In the pamphlet under consideration, the grandson of General Greene has come forward with a vindication of that great soldier and good man.

Who would have supposed, ten years ago, that such a vindication would be needed against the aggressions of the first historian in America? Who, within the recollection of school-boys of to-day, would have dared to suppose, much less to say, that Greene was "despondent" in 1776; that he cast "reflections" on Washington's conduct at Kip's Bay; that he "complained" and "murmured" to Washington or to Mifflin, when Lasher abandoned Fort Independence and the Rangers were ordered from his out-posts to join the grand army at White Plains; that he disobeyed orders at Fort Washington, was negligent of his duty, and disingenuous to his Chief; that his disposition was too "easy and sanguine;" that he "reposed" while Washington labored at Princeton; that he was of little service at Brandywine, less at Germantown, and not unwilling to escape from his duties in the field to become Quartermaster-general? Truly, the world moves; and whether these charges are true or false, who does not see that there is no longer a disposition to depend on the traditions of the fathers, concerning early men and measures; nor a dread of looking for the truth, or of telling it, lest some "established reputation" of our boyhood shall be impeached! Actions and men *must be weighed and tested by the historian.* They can no longer pass current for their face, no matter how base the metal; and we know no reason to relieve even General Greene from this great ordeal; while we know, also, no reason why his descendants or his country should shrink from such an examination.

As we have said, we do not concur with Mr. Bancroft in all his conclusions. Washington, it is true, was the great central figure in the armies of the Revolution; but Washington was not alone, nor was his the only arm which braved the onslaught of the enemy, nor his the only head which planned campaigns and directed instrumentalities. He was, at best, only a man—"desponding," passionate, apt to complain, by times irresolute, always formal, never assimilating himself with the masses, not remarkably profound—like many of his contemporaries.

If Greene was "despondent" in 1776, was he any worse because of it? Washington himself wrote freely, at that time, of the "game" they were playing, and how nearly he thought it was "up;" while Robert Morris did not consider it beneath his dignity to tell the Congress, in December of that year, "Some effectual remedy must be applied to this evil," [*the depreciation of the currency*] "or the game will be up." These, however, were no worse because of that; nor does it seem necessary to formally vindicate any who, in those dark days, were sometimes "despondent," even while performing their duty with honor to themselves and advantage to



their country. We think the author of this Vindication need not have noticed so harmless a remark, whatever might have led Mr. Bancroft to use it.

These remarks may be applied, also, to Mr. Bancroft's words concerning Greene's "reflections" on Washington's outburst of temper at Kip's Bay, and his "complaints" and "murmurs" still later in the campaign. Mr. Bancroft probably considered it necessary to guard Washington from the effects of a fault-finding spirit, even from that of Greene, if he possessed one; but while we differ from him in this respect, we see no sufficient reason in that difference for inflicting on him the penalty of a pamphlet.

The truth is, historical writers are generally considered excellent men, etc., etc., etc., while they are humoring the weaknesses of men and families by continuing the laudation of their ancestors; but the moment they presume to think for themselves, to turn their subjects around in order to see the other side, and to do their duty by treating those subjects as men rather than Gods, they very often cease to command any respect whatever, if they do not encounter a torrent of abuse from those who had previously been most obsequious to them.

We do not say that Professor Greene is quite as sensitive as those fickle ones to whom we have referred; but we do say that he has expended too much labor on small and unimportant matters, at the expense of others which demand, as they have demanded for many years, his earnest and intelligent attention.

When the triumph of the cause in which they were engaged was doubtful, as it was in the fall of 1776, why should not both Greene and Washington have been "despondent," at least in their private correspondence? When an earnest, true, and vigilant General saw reason to fear that the indiscreet conduct of others had deprived him of material which he needed, and that the sudden withdrawal of light troops left him exposed in front or flank, and overturned his carefully-prepared plans for offensive movements or more obstinate defence, why should he not have expressed his regret—why not "complain" and "murmur," if you please? And when Washington so far gave way to passion, that the restraining hand of a friend was necessary to prevent him from committing suicide, as was really the case, when stripped of its rhetoric, at Kip's Bay, even a fool might be justly punished, if he made no "reflections" on the subject.

If Greene had witnessed all these, and been subjected to the withdrawal of the Rangers, without uttering a word which indicated feeling, warmth of feeling if you please, he might have been considered, *as he would have been*, as caring nothing for the cause, and of being a second

Charles Lee. On the contrary, the cause was near to his heart, and he naturally "desponded" when it seemed hopeless; he "complained" and "murmured" when he was prevented from promoting it, and when it was needlessly endangered by others; and he made "reflections" when its great chief, his honored friend, in a fit of passion, seemed willing to sacrifice his life or his liberty, to no good end. That Greene was thus exercised, is admitted, it seems, even by one who is assumed to think ill of him. But who does not see in this admission, the testimony, *in Greene's favor*, of one who is assumed to be an unwilling witness, of one who is reluctantly compelled to record the entire sympathy of that General with the cause of his country, of one who has found nothing more serious in Greene's character, prior to the fall of Fort Washington, than an intelligent and friendly difference of opinion from Washington, and sufficient manliness to express it? Even Mr. Bancroft, it seems, could not paint the times referred to in sufficiently sombre colors, without the contrast afforded by Greene's constant and manly patriotism—the cause was so hopeless that even Greene "desponded"; the situation of affairs at Fort Washington was so precarious that even Greene, on whom the continued occupation of the post depended, was shaken in his resolution, and led to "complain"—probably to "murmur"—at the burning of a few boards at Fort Independence, and the removal of a handful of his light-troops to White Plains. The indiscretion of Washington at Kip's Bay was so notorious and so noteworthy that even Greene, his most devoted friend, must needs "reflect" on it.

The first, second, and fourth of Professor Greene's specifications, therefore, in the form in which he has put them, we conceive to have been uncalled for, if not unfortunate, inasmuch as we are not quite sure that in these instances, at least, Mr. Bancroft has not unwittingly paid to Greene the highest compliment he could have bestowed.

His third charge, concerning the expedition to Staten Island, we conceive to have originated in the Professor's fancy rather than in a just appreciation of Mr. Bancroft's words, in which we do not see even an insinuation that Greene had improperly abandoned Mercer during the movement on Staten Island, in October, 1776. We should be loathe to entertain the thought, but if any one was to suggest that the men of snow, which boys sometimes construct with great ingenuity, in order to have something to throw snow-balls at, had furnished the Professor with an example which he has diligently followed in this case, we should be puzzled to find a reply.

Fort Washington, the fifth of the Professor's subjects, affords a fit subject for his long-prom-



ised and long-deferred attention; but he commences the discussion of it by avoiding the main question involved.

We insist that the grandson of Greene, when he undertakes to tell us of Fort Washington, shall not shrink from the *duty* of either defending his grandfather's conduct in the case, or of allowing judgment to be taken, as confessed, against him. He must not continue to sit, as he has sat for twenty years, as a mere protestant, denying everything without offering a reason or a counter theory. If we are wrong, he must not merely say so, as he has done ever since we have been in the service, but he must show us the truth.

After a life-time of denials, he tells us, (page 27) "Whether Greene was right or wrong in his belief that Fort Washington ought to be held, *I shall not take upon me to say. It is a military question which none but military men are competent to decide.*" Indeed! Why then has he presumed to decide that Mr. Bancroft, in differing from him on "military questions" relating to it, has needed a pamphlet in opposition? His grandfather needed no such protracted period to understand a "military question" of this importance; why then should the Professor be still ignorant of the subject, with all the light which he possesses or can control? *It was his duty to learn the truth concerning it before he undertook to pass judgment in the case; he tells us he did not; of what value, then, is his judgment to General Greene's memory, or of what weight against Mr. Bancroft's volume? Who can tell?*

"The passing of the ships up the river," the result of a sad BLUNDER which gave to the enemy the control of the waters of the Hudson above Fort Washington—rendering nearly useless, certainly depriving of their chief importance, both Fort Washington and Fort Lee, and rendering four-fold more difficult the labors of both Greene and Washington, while it diminished the cares of the enemy to a corresponding extent—were certainly worthy of the Professor's notice in such a work as this. Why were those subjects—the great features of the question under examination—left unventilated, even unnoticed, both by Mr. Bancroft and Mr. Greene? In his letter of the ninth of November, 1776, General Greene referred to it feelingly; and gave reasons for supposing, "upon the whole," even under the new order of things, "the garrison is of advantage;" the best defence his reputation could have had—that which we have waited for so long—would have been a disclosure of the real causes which led to different results from those which he expected, and a candid and authentic and complete account of his connection or want of connection with those causes.

If the actual results were different from those which General Greene foretold, was it because

his judgment in the matter was defective, or because *other and unforeseen* causes interfered and controlled the matter, beyond his ability to save it? If the former, the Professor has a reason for not disclosing it, although he has no reason for attempting to silence those who suppose they have the truth concerning it: if the latter, he owes it to the memory of his ancestor and to the cause of truth to tell the world all about it. It is either a question of inclination or ability in the Professor: which of the two, is the question.

*Greene's judgment in the premises was ORIGINALLY right: the result of the passage of the ships—a BLUNDER for which he was not responsible—diminished the PARAMOUNT importance of the position, without wholly destroying it.* That is no valid defence of Greene which leaves untold these vital facts; and no one can justly appreciate the gigantic abilities of that great man who does not understand his reasons for that original judgment, even when opposed by many of the best of his associates; nor can the purity of his devotion to his country and the cause in which he was engaged be entirely known to those who do not understand and weigh the hazards, newly thrust upon him, to which he subsequently exposed himself. *The original circumstances had been changed by the blunderers, and the control of both the river and its Eastern bank, between Fort Washington and Stoney Point, had been needlessly surrendered to the enemy and to the hopelessly disaffected who inhabited the Philippe Manor: yet Greene was true to his trust; and Washington and his army, after the battle of White Plains, were saved.* Washington's letter of the eighth of November, quoted on page 32, tells a story, in this connection, which Professor Greene, although not a military man, might have studied with advantage; and Greene's reply to it, quoted on pages 28, 29, would have told him what the other did not unfold.

The fact that Washington, who knew the facts, never censured Greene, should have protected him from Mr. Bancroft's ill will: the fact that the censures of the historian fall quite as heavily on Washington as they do on Greene in everything concerning Fort Washington, should have given courage to the vindicator of the latter, and led him to relieve, at once, his grandfather and the illustrious Chief who had sustained him. The Professor has failed to do this; and, unfortunately, the world is no wiser, on this great subject, than it was before he wrote and printed his pamphlet.

The sixth topic is a philological rather than a historical charge against Mr. Bancroft. It is of little consequence, and the glory of the victory, which evidently belongs to the Professor, will not be noticed among the well-earned laurels of his grandfather. Whether or not the General's

was an "easy, sanguine disposition," which forms the seventh division of the subject, belongs to the same unimportant class.

Mr. Bancroft's serious charge against Greene, of disobeying Washington's Order for a removal of the stores from Fort Lee, which forms the eighth division of the pamphlet, is triumphantly overthrown; and we do not hesitate to say that the license which the historian seems to have taken in mutilating the General's Order on the subject, contained in his letter of the eighth of November, betrays either an intensity of ill-will which we cannot excuse, or a looseness in the use of materials which is inconsistent with Mr. Bancroft's high standing; and whichever is true, the subject demands an explanation. It is not merely an error of judgment, but a mutilation of the written record, which neither Mr. Bancroft nor any other writer of History can be guilty of without wrong-doing.

The ninth topic in this pamphlet is an answer to Mr. Bancroft's charge of a want of vigilance in Greene, in the abandonment of Fort Lee, when a quantity of stores fell into the enemy's hands.

Mr. Bancroft had no excuse for making the charge, and Professor Greene has none for not more effectually repelling it. The latter should have so presented the facts that without the opinions of Paine, or Gordon, or any other contemporary, the intelligent reader of this pamphlet would have been enabled to see for himself that Mr. Bancroft had not fairly presented the facts of the case.

We see no great cause for complaint that during a rainy night (and therefore dark), an expedition was successfully organized under the lee of the high grounds at Fort Washington, in Spuyten Duyvel creek—both banks of which were wholly occupied by the enemy, and not within sight of our posts—nor is it very wonderful that without Greene's *personal* knowledge, such an expedition should have moved, in the darkness, not more than four or five miles, across the Hudson, to Closter, and there effected a landing. It is more remarkable, in our view of the case, as a positive evidence of Greene's untiring vigilance, that such a movement, thus organized, and led by such an officer as Lord Cornwallis, was not entirely successful in capturing the whole garrison of Fort Lee, instead of its stragglers and that portion of its baggage and stores for the removal of which there were no wagons.

In the tenth division, Professor Greene supposes he sees a phantom, and raises an alarm; but, for the life of us, we cannot see it. What if Washington did work harder than Greene and the other General officers, while preparing the plans of his proposed operations in New Jersey, in December, 1776, and January, 1777? Is there

anything unusual in such an application of his entire energies to the organization of a campaign, by a Commander-in-chief? Is there anything derogatory to the character of a subordinate, when the principal credit of a movement is awarded to a responsible Chief, no matter by whom originally suggested, or by whom directly executed? History has not yet reached that blessed state, when "equal and exact justice" shall be done to "all men" on her commemorative tablets—that we have high authority for saying, might sometimes have "a denationalizing tendency"—and there is only one History, within our knowledge, which can reasonably aspire to such a glorious distinction. It is neither Bancroft's nor Gordon's however.

In the eleventh division, we are told that General Greene condemned the American position at Red Clay Neck, in the fall of 1777; and that Mr. Bancroft says nothing about it.

There may be a point in this circumstance, but we do not see it; nor have we been able to find it in Mr. Bancroft's volume. We are inclined, therefore, to consider this as another of Professor Greene's snow-men, raised only as a target for his antagonistic snow-balls.

In the Professor's twelfth division the affair at Brandywine is discussed; and, if we understand him correctly, he has made a sad botch of it.

Mr. Bancroft seems to have said that Washington, "*taking with him* Greene and two brigades, marched swiftly to the support of Sullivan"; that his approach, with one of these, "checked" the advance of the enemy, who was driving the latter before him; that the enemy rallied and compelled Greene to fall back also; and that not until supported by the other two regiments of his command, was the latter enabled to hold his position.

The Professor first introduces Gordon to show, *by innuendo*, that Washington did not go to the front at all, thus giving the credit of the day to Greene; that he had only *one* brigade instead of two; and that Greene, also, was the principal officer in command when the enemy was ultimately checked and finally withdrew from the pass.

If Washington had not been in front, Greene would have been the senior officer on the ground, and therefore in command; *but the former was in front*, and the Professor, on the next page, actually produces a witness to prove to his readers that Washington, *in person*, led his troops and commanded them,—just what Mr. Bancroft had stated;—while both General Muhlenberg (*Life*, 94, 340), Judge Johnson (*Life of Greene*, i., 73, 76), and Judge Marshall (*Life of Washington*—*Edit. Phila.*, 1805, iii., 134, 135), sustain that gentleman concerning the *two* brigades; and General Muhlenberg (*Life*, 94, 98, 340), as well



as Gordon (ii., 511, 512), and Judge Johnson (i., 76), inform us that Washington *personally* indicated the position to which Greene should fall back; and that, under like orders from Washington, the latter actually fell back and occupied it, holding the enemy in check until nightfall.

The thirteenth section relates to the Battle of Germantown, on which Mr. Bancroft seems to have said nothing concerning Greene that is worth especial attention; and it is continued, in the fourteenth, with no more reason, exculpating the General from a fancied censure concerning the subsequent retreat to Skippack.

Whether or not Greene was "reluctant" to accept the office of Quarter-master-general, does not seem to have occupied Mr. Bancroft's attention: why then did Professor Greene occupy a chapter of his pamphlet to tell us that the office was not wanted? Was it another of those snow men of which we have already spoken? or was it a pious and instructive attempt to cover the weakest point not yet assailed?

In a general survey of the subject, we think it is unquestionable that General Greene does not occupy the high position in Mr. Bancroft's regard that he is probably entitled to; and we do not deny that the grandson of the General had just and sufficient reasons for a public complaint on some parts of the subject. But there were other grounds for complaint which were more important than those which the Professor has occupied, concerning which he is silent. The occupation and loss of Fort Washington, for instance, have been standing subjects of disagreement, for more than ninety years; and the Professor has made them the subjects of long-continued, if not careful and impartial attention. Yet, on the most important topics he is silent. Had he cleared up the mystery—so called—of that misfortune and told us the truth of it, his work of *vindication* would have been a most useful one; and he might have proudly pointed to such an exoneration of his ancestor from that ancient slander, to the steady confidence which the Commander-in-chief reposed in him, to the spotless character of his private record, and to the unquestionable abilities which he displayed, both in the field and as Quarter-master-general, as the unimpeachable vouchers for his grandfather's truly honest fame.

He has not done so; preferring, rather, to spend his strength on philological trifles and phantoms originating with himself, and leaving yet unsolved the great questions—Why was Mount Washington originally occupied? Why was not it abandoned when the army was moved into Westchester county? Why was its garrison strengthened instead of withdrawn, still later? Why was that garrison subsequently lost?

Who shall be General Greene's next vindicator?

5. *General John Sullivan*. A vindication of his character as a Soldier and a Patriot. By Thomas C. Amory, Esq. Morrisania, N. Y.: 1867. Octavo, pp. iv., 52.

6. *President Joseph Reed of Pennsylvania*. A correspondence between Hon. William B. Reed and John C. Hamilton, Esq. Morrisania, N. Y.: 1867. Octavo, pp. iv., 29.

The readers of last year's numbers of this work will recognize in these tracts, two articles which were widely noticed in the December number and as generally commended.

They have been re-produced in this form, for private circulation by their respective authors; and, apart from their value as contributions to American History, their beauty as specimens of book-making will render them attractive.

The edition of each was sixty copies.

7. *Abattoirs*. A paper read before the Polytechnic Branch of the American Institute, June 8, 1866. By Thomas F. De Voe. Albany: 1866. Octavo, pp. 32.

Colonel De Voe, the author of this paper, is known to his neighbors and friends as "the Historical Butcher." *The Market Book*, which he published some years since, will sufficiently indicate the propriety of the designation. He is one of the few who look before they leap; and whatever bears his name, whether concerning the History or the Contents of the Markets in New York, may be entirely relied on as true.

The paper before us is on Slaughter-houses; and we have presented to us a clear account of these establishments, in the city of New York, for the past two hundred years, together with incidental allusions to those of the Greeks, the French, the Scotch, etc.; and it closes with an elaborate and forcible defense of their unusual healthfulness, even in periods of epidemic visitation. He insists, and proves, the truth of the assertion, that those who spend the greater part of their time in slaughter-houses are healthier, as far as local diseases are concerned, than the great body of those who are engaged elsewhere.

*The Harbor of Boston and its Islands*, an important series of papers, from the accomplished pen of Doctor N. B. Shurtleff, is running through the columns of *The Boston Sunday News*.

## 2.—BOOKS IN PREPARATION.

—We have seen a proof of a portrait of Madame Reidesel, which has been engraved from one obtained in Germany, for the illustration of Mr. Stone's forthcoming edition of her *Letters*, to which we have already referred; and we promise a treat to all who are interested in such matters. Indeed, it is a beautiful portrait of a very beautiful woman, with whose devotion to her husband our readers are generally acquainted; and, between Mr. Stone and Mr. Munsell, the latter of whom is printing the volume, we have no doubt that many more, through her letters, will very soon learn to admire her.



THE

# HISTORICAL MAGAZINE.

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[No. 3.

## I.—HENRY LAURENS IN ENGLAND.

BY GENERAL PETER FORCE.

In October, 1779, when the Continental Paper Money had almost reached its lowest point of depreciation, it was determined by the Congress to seek a foreign Loan, a Committee having reported that in their opinion one might be negotiated in Holland. In accordance with this suggestion, on the fifteenth of that month, it was Resolved that a proper person be authorized and instructed to negotiate this business on behalf of the United States.

On the eighteenth of October, Congress proceeded to the nomination of a proper person to negotiate a Loan in Holland; and Mr. John Adams was put in nomination by G. Morris; Mr. Henry Laurens, by Mr. Matthews, and Mr. Woodbury Langdon, by Mr. Sharpe. On the twenty-first, Mr. Laurens (then a Member of Congress) was elected the Commissioner to make the Loan.

By his Instructions he was "authorized to negotiate a Loan, for and in behalf of the United States, with any person or persons, bodies politic and corporate, not exceeding ten millions of dollars," Congress promising to ratify and confirm whatever he might do in the premises.

His commission was agreed to on the thirtieth of October, 1779; but he was prevented by unavoidable circumstances from proceeding on his agency, until the succeeding summer. On the sixth July, 1780, Congress, on the Report of the Committee on Foreign Affairs, "RESOLVED, That "it is highly expedient that the honourable Henry Laurens do repair to Europe, without loss of time, in order to enter on the discharge of the Commission to which he has been appointed by Congress," and on the nineteenth of July, a Warrant was ordered to be drawn on the Treasury, in favor of the Board of Admiralty, for Thirty thousand dollars, "to enable them to procure sea stores for the passage of the honourable H. Laurens."

Provision was now made for the departure of Mr. Laurens. For his conveyance the *Mercury* Packet, (a vessel described as a Brig of sixty

tuns, with four guns and fourteen men,) under the command of Captain William Pickles, was engaged, with orders to proceed to sea immediately, under the convoy of two National ships, from the Capes of Delaware "to a good offing."

Captain Pickles, on the eleventh of August, 1780, received the following Orders from the Board of Admiralty:—

"CAPTAIN WILLIAM PICKLES.

"SIR:

"The Board of Admiralty having appointed you to command the Continental Packet *Mercury*, you are hereby ordered to proceed with all possible dispatch North about for Amsterdam in the United Provinces of the Netherlands, where, when you arrive, you are to receive on board the *Mercury* all such articles as the Hon. Henry Laurens shall by himself or his agents order to be put on board. When the *Mercury* is completely laden, you are to proceed on your return with the vessel for any safe port on the coast of North America giving Philadelphia, Chesapeake Bay, or Egg Harbour the preference; and give the Board immediate notice of your arrival.

"You will make all dispatch in your power while in Amsterdam so that you may arrive on this coast before the Winter sets in.

"You are at liberty to take passengers on your homeward bound voyage, but no articles but such as each of them may bring in a trunk of a midling size, and no private property for any person, but such as Mr Laurens may direct you to receive, and be governed by his orders during your voyage. Mr. Laurens will advance you for your crew the monies we have agreed shall be paid them at Amsterdam agreeable to your shipping bill. The Board desire you will make Mr. Laurens' passage as comfortable as possible and that you will at all times exercise Economy and Despatch.

"Wishing you a prosperous voyage

"I am Sir

"Your Hble. Servant

"by order

"JOHN BROWN, Sec."

The final instructions to Mr. Laurens bore the same date with the foregoing :—

“ Aug. 11<sup>th</sup> 1780.

“ THE HONBLE. HENRY LAURENS ESQ.

“ SIR.

“ You will receive with this a bill of Exchange “ on John Jay Esq for One thousand pounds stirring out of which you will be pleased to deliver “ to Captain Pickles the amount of the sum specified in his shipping bill which we have agreed “ shall be paid him in Amsterdam and also Two “ hundred and forty dollars which we have agreed “ shall be advanced him, and Five dollars and one “ third of a dollar per week for his subsistence “ while in Amsterdam, the remainder you will lay “ out in purchasing the articles mentioned in the “ enclosed list. If the bill should not be sufficient for these purposes, you are desired to make “ use of your credit for supplying the deficiency “ as all the articles are exceedingly wanted. We “ wish you to insure the *Mercury* and her cargo “ on the best terms you can to the first port in “ the United States of America, and give her all “ the despatch in your power. We heartily wish “ you a safe and pleasant passage to the place of “ your destination and are Sir,

“ Your most Hble. serv<sup>ts</sup>

“ FRANCIS LEWIS per order.”

Captain James Nicholson of the Frigate *Trumbull* was directed by the Board of Admiralty on the same day to proceed to sea, taking the *Mercury* Packet under convoy :—

“ You are directed to proceed to Sea on a cruise, “ taking under your Convoy the *Mercury* Packet, “ and keeping Company with her until you shall “ have given her a good offing ; you are then to “ cruise along and off this coast ;” &c.

For the greater security of the vessel conveying Mr. Laurens, the *Saratoga* received similar orders :

“ To John Young, Esq. Commander of the Continental Ship *Saratoga*,

“ Sir,

“ You being appointed to the command of the “ ship *Saratoga*, are hereby ordered to fall down “ the River Delaware, and taking the *Mercury* “ Packet under your Convoy, proceed to Sea, and “ give her as good an offing as you can, consistent with your returning to the Capes, in four “ or five days,” &c.

The next information we have from Mr. Laurens, states that he wrote to the Board of Admiralty on the twenty-third of August, by Captain Young, when the *Saratoga* left him on his return to the coast, and also of the capture of the ship he was in, on the third of September. His Letter is dated—

“ VESTAL—BRITISH FRIGATE,  
“ ST. JOHN'S, Newfoundland,  
“ September 14<sup>th</sup>, 1780.

“ GENTLEMEN.

“ I had the honor of writing to the Board of “ Admiralty, from on board the *Mercury* packet, “ the 23d ult. by Captain Young, at parting with “ the *Saratoga*. On the 3<sup>d</sup> instant, the *Vestal* “ came in view, and after a pursuit of some five “ or six hours, Captain George Keppel took possession of the packet. Mr. Young, Captain “ Pickles, and myself, were conducted on board “ this ship, and yesterday we arrived here.

“ Certain papers, among which were all those “ delivered to me by Mr. Lovell, and the board of “ Admiralty, fell into Captain Keppel's hands. “ These papers had been enclosed in a bag, accompanied by a considerable weight of iron “ shot, and thrown overboard, but the weight “ proved insufficient for the purpose intended. “ Admiral Edwards, Governor of this Island, and “ commander of the stationed squadron, has ordered me to England in the sloop of war *Fairy*, “ under the command of Captain Keppel. Mr. “ Young and Captain Pickles will probably go “ in the same vessel.

“ I should be wanting in justice, and indeed “ deficient in common gratitude, were I to omit “ an acknowledgement of Captain Keppel's kindness to myself, and to everybody captured in the “ *Mercury*. Captain Pickles' conduct, while he “ had the command of that vessel, was perfectly “ satisfactory to me. I have the honor to be, &c

“ HENRY LAURENS.”

The following particulars relating to the capture and treatment of Mr. Laurens are furnished by the English Newspapers :

“ NEW-YORK, October 13, 1780. Yesterday arrived the Ship *Patty*, Captain Marquis, from “ Glasgow, which place she left seven weeks ago ; “ by her, we learn that bound from Philadelphia “ to Holland, in which Henry Laurens, Esquire, “ late President of Congress, was a passenger, “ was captured by his Majesty's Frigate *Vestal*. “ Captain Keppel, one of the Fleet on the Newfoundland Station, the 2d of September, last ; “ the mail, containing papers of the greatest importance, was thrown overboard, but as it did “ not immediately sink, it was taken on board the “ *Vestal*, undamaged.

“ The prize was carried into St. John's where “ the contents of the mail was found to be of such “ consequence, that a Frigate was immediately “ dispatched to carry it and the person of Henry “ Laurens to Britain.”

“ LONDON, October 2, 1780. The Brigantine “ *Congress*, a packet from Philadelphia, bound to “ Amsterdam, was taken on the Banks of New-

"foundland, by the *Vestal* frigate, Capt. Keppel. "There were on board her, Mr. Henry Laurens, "late President of Congress, who was several "months ago appointed by Congress Envoy to "the Hague; also his Secretary and another gen- "tleman. On their being carried to Newfound- "land, admiral Edwards immediately despatched "the *Vestal* frigate to England, thinking the cap- "ture of these Gentlemen (together with their "papers, which are said to be taken) of some im- "portance. The *Vestal* frigate had but fifteen "days passage, and is said to have landed Mr. "Laurens at Dartmouth, on account of his bad "state of health.

"Mr. Henry Laurens, late President of the Con- "gress, is one of the greatest and best men "America has ever produced. The temper and "moderation with which he conducted himself "at the first breaking out of the American dis- "contents, did honour to his wisdom and his "fortitude. For his house at Charlestown was "frequently surrounded in the middle of the "night, by a mob determined to sacrifice him "and his family, as the friend of the English "Administration, or the lukewarm friend of "America. He saved himself by the cool deter- "mination of meeting the rioters, and inviting "them to proceed against himself, while he re- "quested them to spare his unoffending family. "Mr. Laurens always represented the apprehen- "sions of America as groundless, till he made the "our of Europe, and learnt in England, that "there was a plan in agitation, which has since "almost committed suicide on the empire. This "determined him to take the part he has since "borne."

"LONDON, October 4, 1780. On Wednesday an "Express arrived at the Admiralty, from the "Officer who has the care of Mr. Laurens, ac- "quainting their Lordships, that the reason of his "not bringing that Gentleman to town, agreeably "to the order given him by Captain Keppel, was "the severe indisposition with which his prison- "er had been seized, which confined him to his "room, and rendered it highly dangerous to re- "move him; he therefore begged their Lordships "further direction with respect to his future dis- "posal of this distinguished captive.

"As soon as Mr. Laurens is sufficiently recov- "ered from his illness, to admit of a removal to "this metropolis, he is to be carried before the "Privy Council, and interrogated as to the tenor "of his commission to the States General.

"There is another American Gentleman of "some consequence taken with Mr. Laurens, the "late President of the Congress."

"LONDON, October 7, 1780.—Notwithstanding "advice was received at the Admiralty on Thurs- "day morning of Mr. Laurens being so bad at New-

"ton Abbot, in Devonshire, that he could not un- "dergo the fatigue of travelling without very "much endangering his life, and begging an in- "dulgence of remaining two or three days at that "place, which was immediately granted; Mr. "Laurens in a few hours after the express was "sent to the Admiralty of his indisposition, "found himself so much recovered as to proceed "on his journey, under the guard of Mr. Norris, "Lieutenant of the *Vestal*, and arrived in a post- "coach at the Admiralty at five o'clock in the "evening.

"Notice of his arrival being immediately sent "to Lord Sandwich and Mr. Stephens, Mr. Lau- "rens was ordered into the audience-room in the "Admiralty, and not having dined, an elegant "dinner was ordered for him from the Salopian "Coffee House; but neither Lord Sandwich nor "Mr. Stephens thought it consistent with pro- "priety to be introduced to him without a pre- "vious consultation of the Cabinet.

"Advice of Mr. Laurens's arrival was sent to "the American Secretary, Lord George Germaine, "who immediately sent his secretary, Mr. Knox, "to wait on Mr. Laurens, who was introduced to "him, and they had some private conversation "together. Afterwards Justice Addington and "two King's Messengers were with Mr. Laurens "for some time; and he remained in the Audi- "ence-room till after he had supped. He was "then placed under the care of a Messenger of "the Admiralty, who lives in Scotland Yard, and "conveyed to his house, where he remained that "night under the guard of a Sergeant, six sol- "diers, and a Messenger, who were constantly "with him. Mr. Laurens has a black servant "with him, who, however, is not allowed to at- "tend his master, but remains in the same house.

"Mr. Laurens is seemingly about fifty years of "age, of a swarthy, but keen, intelligent, yet "rather a melancholy countenance, has his own "hair, and is rather below the middle size.

"Mr. Laurens is said to be chagrined, not at the "loss of his liberty, but on account of the whole "of his papers being saved, and now in the hands "of Government, as they are said to disclose the "whole system of American politics, and the "private conduct of all the European powers to- "wards America. Mr. Laurens is very reserved "in his conversation and very thoughtful.

"A Baronet yesterday sent his respects to him, "and would be very glad to see him; but Mr. "Laurens returned him a polite answer, that he "was sorry he could not grant his request, as no "person whatever was allowed to be admitted to "him, without having an order from Govern- "ment.

"Yesterday, about 12, o'clock, pursuant to an "order for that purpose, Mr. Laurens was brought "privately in a hackney coach to Lord George



"Germaine's office accompanied only by Mr. Addington. The Earl of Hillsborough, Lord Viscount Stormount, and Lord Germaine, three of his Majesty's Principal Secretaries of State, attended by his Majesty's Solicitor General, being present, Mr. Laurens went under a long examination, which lasted till near six o'clock; when a warrant of commitment was made out, signed by three Secretaries of State, committing him a close prisoner, to the Tower. Mr. Laurens was conveyed privately, soon afterwards, as before, in a hackney coach, accompanied by two Military Officers and two Messengers, who were likewise named in the warrant. They arrived at the Tower about seven o'clock, and delivered their prisoner into the custody of the Governor."

Subjoined is the substance of Mr. Laurens's Examination, by the Government, and his commitment to the Tower.

"Previous to Mr Laurens's appearance before the Secretaries and Justice Addington, it was settled in the interior Cabinet, what questions were to be put to him, and they were committed to writing.

"Mr. Laurens was asked, if he acknowledged himself a subject of the British Crown? To which he answered in the Negative.

"He was then asked, in what capacity he considered himself, and to what kingdom he was subject? He replied that he considered himself as an American Plenipotentiary; that he was subject to no King whatever; and owned no other superior than the United States of America, collectively represented by Congress.

"Being interrogated, if he ever thought himself a subject of the British Empire? He replied in the affirmative; but that it was the undoubted privilege of every society of men that were under the dominion of any one or more, whatever, when they found themselves aggrieved, and had no prospect of redress, to withdraw their allegiance, and either throw themselves under the protection of another, or to establish a government among themselves, on a basis of a more generous nature, that of public and general liberty, which might check the tyranny of the few, for the security of the whole body.

"He was asked where his pretended embassy was for? He answered, he was no pretended ambassador, but a legal one, and his credentials were properly authenticated for an European Court.

"Several more questions were asked, relative to the seized papers, the state of America, &c., to all of which he refused to give any answer, saying that as an Ambassador, from an inde-

pendent Power, they had no right to interrogate him in that manner.

"When he was told, that he was to be committed to the Tower, he told them that it was violating the law of nations to detain an Ambassador; and that he hoped every court in Europe would show their detestation of such conduct.

"Mr Laurens asked if he was to consider himself as a captive Ambassador; or, as they termed him, a rebellious subject of Great Britain? To neither of which questions it was thought proper to answer.

"The Deputy Lieutenant and all the other officers belonging to the Tower have received orders to give a constant attendance at that place, Mr Laurens is to be treated with every respect his situation will admit."

#### COMMITMENT OF MR. LAURENS.

"The commitment of Mr Laurens to Tower of London, by the three Secretaries of State, on Friday last, (6 October,) runs thus:

"These are in his Majesty's name to authorize you to receive into your custody the person of Henry Laurens, Esq., sent herewith, on suspicion of high treason, whom you are to keep safe until he shall be delivered by due course of Law; for so doing this is your Warrant.

"Done at Whitehall, the 6<sup>th</sup> day of October 1780.

"STORMONT,  
"HILLSBOROUGH,  
"G. GERMAIN.

"To Charles Earl Cornwallis, }  
"Constable of the Tower of }  
"London, or his Deputy. }

"LONDON, October 11, 1780.—Mr. Laurens is confined in the apartments formerly occupied by Mr. Wilkes, when in the Tower.

"The Picture of General Washington, taken, on board the *Mercury* Packet, by Captain Koppel, is a most striking likeness, and was presented by the Captain to his relation, the Admiral."

In December, 1781, upwards of fourteen months after Mr Laurens was committed a close prisoner to the Tower the attention of the House of Commons was called to his case. On the seventeenth of that month Mr. Burke said:

"No sooner had Mr Laurens arrived in London, than he found himself treated not as a Prisoner but as a traitor, and as such was committed to the Tower; his treatment there was of a most rigorous nature; kept a close prisoner, he was not indulged with the comfort of seeing his relations and his family till that indulgence had been purchased by those relations, by submit-

"ting to the mortifications of repeated and insulting denials. The use of pen, ink, paper, was withheld from him for three months; and at the end of that period, he was so far allowed the pen, ink, and paper, as to be permitted to draw bills upon some persons, with whom he was fortunate enough to have had some transactions, and who owed him money."

After enumerating the various indignities and brutal cruelty to which Mr. Laurens had been subjected for so many months, Mr. Burke added:

"All that justice, all that repeated requisitions founded on principles of the clearest reason could not effect, had of a sudden been brought by a Star, that had risen, not in the East, indeed, but in the West, and warned the Ministry of the danger of their longer persevering in their unmanly, resentful, and rigid treatment of Mr. Laurens. This was no other, than the news arriving, that Mr. Laurens' son, a brave, worthy, and a polished officer in the American service, had lord Cornwallis in his custody, and that his treatment of his noble prisoner was directly the reverse of the treatment experienced by his father, who was then locked up in a prison, of which lord Cornwallis was governor. The moment advice of this circumstance reached the ministers, they became as full of civility to Mr. Laurens as before they had been full of severity. But, he was authorized to say, that Mr. Laurens would sooner starve, or undergo any distress the human frame was capable of supporting itself under, than be obliged to men, who had treated him so extremely ill."

On the twentieth of December, 1781, Mr. Burke presented the following Petition from Mr. Laurens, which after further debate was laid on the Table.

#### PETITION OF MR. LAURENS.

"To the Right Honourable CHARLES WOLFRAN  
"CORNWALL, Speaker, and the HONORABLE  
"HOUSE OF COMMONS.

"The Representation and Prayer of Henry Laurens, a native of South Carolina, some time recognized by the British Commissioners in America, by the style and title of his Excellency Henry Laurens, President of Congress, now a close Prisoner in the Tower of London.

"Most respectfully sheweth,

"That your Representer, for many years, at the peril of his life and fortune, ardently laboured to preserve and strengthen the ancient friendship between Great Britain and the Colonies; and that in no instance he ever excited, on either side, the dissensions which separated them.

"That the commencement of the present war,

"was a subject of great grief to him, inasmuch, as he foresaw and foretold, in letters, now extant, the distresses which both Countries experience, at this day.

"That, on the rise and progress of the war, he extended every act of kindness in his power to persons called Loyalists and Quietists, as well as to British Prisoners of war, very ample proofs of which he can produce.

"That he was captured on the American coast, first landed upon American ground, where he saw exchanges of British and American Prisoners in a course of negotiation; and that such Exchanges and enlargements upon parole are mutually and daily practised in America.

"That he was committed to the Tower on the 6<sup>th</sup> of October, 1780, being then dangerously ill; that in the mean time, he had, in many respects, particularly by being deprived (with very little exception) of the visits and consolations of his children, and other relations and friends, suffered under a degree of rigour, almost, if not altogether, unexampled in modern British History.

"That from long confinement, and the want of proper exercise, and other obvious causes, his bodily health is greatly impaired, and that he is now in a languishing state; and

"Therefore your Representer prays your Honours will condescend to take his case into consideration; and, under proper conditions and restrictions grant him enlargement, or such other relief as to the wisdom and benignity of your Honours shall seem fitting

"HENRY LAURENS.

"TOWER OF LONDON, December 1, 1781."

No further notice appears to have been taken of this Representation and Prayer of Mr. Laurens, by the British Parliament. But a Letter addressed to the President of Congress, written by him with a pencil, (he was not allowed pen and Ink) and delivered to a friend in London, to be forwarded, was more effectual. This Letter referred to his long confinement, and the inhuman treatment he had received while a prisoner, and even now without prospect of relief. It was written on the twentieth of December, the day Mr. Burke presented his Petition in the House of Commons, and threw out the intimation of resorting to "the only speedy and efficacious means for his deliverance," which had its effect with the British Government. In eleven days afterwards, he was released from prison in the Tower, and set at large on bail.

HENRY LAURENS TO THE PRESIDENT OF CONGRESS.

"TOWER OF LONDON, December 20<sup>th</sup> 1781.

"SIR,

"Almost fifteen months have I been closely



"confined, and inhumanly treated, and even now  
"have not a prospect of relief. The treaty for  
"exchange is abortive. There has been languor,  
"and there is neglect somewhere. If I merit  
"your attention, you will no longer delay the  
"only speedy and efficacious means for my deliv-  
"erance. Enter this if you please, and what it  
"may produce, on your Secret Journal, and par-  
"don the omission of ceremony.

"I am, full of love and respect for you,

"HENRY LAURENS.

"P. S. A friend will trace the direction in  
"ink."

Mr. Laurens was admitted to bail on the thirty-first of December, 1781; but was not released until the twenty-seventh of April, 1782, when he received from Lord Shelburne "an ample discharge" by Mr. Oswald, one of his bail. The following extract of his Letter to the President of Congress, of May thirtieth, 1782, gives a general history of his life in England, while a State Prisoner in the Tower of London:

"AMSTERDAM, May 30<sup>th</sup>, 1782.

"SIR.

"From the sixth of October, 1780, to November, 1781, I remained a close prisoner in the Tower of London, without hearing of any steps taken for my release, or for my support or consolation in that distressed state, either by Congress or by any of their servants. In the latter month I learned that Mr. Edmund Burke had, some very little time before, applied to Dr. Franklin to effect an exchange between Lieutenant General Burgoyne and myself, that the Doctor had replied that he had in his possession a resolution of Congress for that purpose, a copy of which he then transmitted to Mr. Burke; and about the same time, a letter from Dr. Franklin to Mr. Hodgson, or to Mr. Vaughan, I forget which, was put into my hands in the Tower. In this letter, the Doctor expressed some satisfaction in having heard from 'high authority,' that I was well satisfied with the treatment I had received in my imprisonment, (the contrary was notorious to the whole world) and he directed the pittance of one hundred pounds to be paid to me, if I should stand in need. To the first part I desired that it might be answered, that the Doctor had been most egregiously misinformed, and imposed upon by the 'high authority,' and that the second was to me, after thirteen months imprisonment, like *a drop of water from the very tip of Lazarus' little finger*. But I heard no more from Dr. Franklin on these subjects, or any other, while I was in confinement, nor till four months after my enlargement, and I have received no money from him at any time.

"On the 20<sup>th</sup> of December last, being still a

"close prisoner, I penciled a few lines to Congress, informing them of the ill usage I had suffered in the Tower; that the proposed treaty for exchange had proved abortive, slightly intimating there had been a neglect of me somewhere, and entreating that the only efficacious measure might be adopted for my release. I penciled seven copies of this letter, passed the whole into the hands of a friend in London, and desired he would forward them to Holland, and France, in moiety, for distribution on board eight vessels bound to America. From this precaution, I trust one has gained the place of address.

"Within a day or two after the British Ministry had determined against accepting Lieutenant General Burgoyne in exchange for me, an inquiry was made of me, from them as I believe, whether Dr. Franklin had power to exchange Lord Cornwallis for me, to which I could give no positive answer, and there the subject dropped. On the 31<sup>st</sup> of December, being, as I had long been, in an extreme ill state of health, unable to rise from my bed, I was carried out of the Tower to the presence of the Lord Chief Justice of England, and admitted to bail 'to appear at the Court of King's Bench, 'on the first day of Easter term, and not to depart 'thence without leave of the Court.' This measure it seems had been preconcerted, and determined upon without my solicitation or knowledge, but I refused to enter into that, or any other obligation, until I had previously made the following declaration to Mr. Chamberlain, Solicitor of the Treasury (who had been sent by the Secretaries of State to notify me in the Tower of their intention to enlarge me upon bail) in the audience of several officers of the Court, the Governor and Deputy Governor of the Tower, and other persons who attended upon the occasion at Sergeant's Inn. 'In order to prevent, or to save trouble, as I do not know the nature of the obligation to be required of me, I think it necessary to premise, that I will do no act that shall involve me in an acknowledgement of subjection to this realm, and that I save and reserve to myself all the rights and claims of a citizen of the united, free, and independent States of North America.' This solemn second abjuration of the King in one of his own Courts, was going as far as decency would permit, and I was at that moment in so very low and languishing a state, that I could express myself no further. None but God knows what I have suffered, and I expected nothing less than to be remanded immediately to the Tower. The Solicitor concluded by saying that some violence had been done to the laws for my relief.

"About ten or twelve days before the first day



"of Easter term, being still in a very bad state of health, I obtained permission to leave England, in order to hold a conference with Mr. Adams, having a warrant from under the hand of Lord Shelburne to leave England, and for putting off the day first assigned for my appearance at the Court of the King's bench. Mr. Adams met me at Haerlem (within twelve miles of Amsterdam) and, in a conversation of a very few minutes, confirmed me in opinions, which I had firmly and uniformly delivered to the British Ministry, that the United States of America would not enter upon any treaty with Great Britain, but in terms of the treaty of alliance between France and America. On the 23<sup>d</sup> of April I returned to London, and repeated the next day to Lord Shelburne, what I had formerly assured his Lordship on that head, in which his Lordship had supposed, or perhaps only hoped, that I had been mistaken for want of better information. I left his Lordship apparently disappointed and chagrined.

"On the 25<sup>th</sup>, I peremptorily declared my intention to surrender myself to the Court of King's Bench, the Court being then sitting, to discharge my bail, and submit my person to the will and disposition of the Court. This having been signified to Lord Shelburne, his Lordship sent to me by the hands of Mr. Oswald, one of my bail, an ample discharge on the 27<sup>th</sup>."

## II.—NEW JERSEY AND THE BOUNDARY COMMISSION OF 1769.

### 1.—"THE STATE OF THE MATTER ON BEHALF "OF NEW JERSEY."

TO

The HONOURABLE,

THE

## COMMISSIONERS

"Appointed by his most Gracious Majesty, for Ascertaining, Settling, Adjusting, and Determining, the Boundary, or Partition Line, Between the Colonies of New York, and Nova Cæsarea or New Jersey."

*May it Please your Honours,*

HIS Majesty by his Letters Patent, bearing Date, on or about the seventh Day of October, in the seventh Year of his Reign; having nominated, authorized, and appointed, you, or any

five, or more of you, to be his Commissioners, for "ascertaining, settling, adjusting and determining, the Boundary, or Partition Line, between his Colonies of New York, and Nova Cæsarea, or New Jersey, from the *Station on Hudson's River*, to the *Station on Delaware River*;" And, having been pleased, to order and direct, by his said Letters Patent, that, "At your first, or second Meeting, a plain and full State in Writing, should be made out, and signed, by two or more of the Agents, named on each Side, of the Demand or Pretension of his said Colonies, respectively describing, where and in what Place, the Boundaries in Question do begin, or terminate; whether that Termination, be by a Line, or Lines of Latitude, or Longitude; by Rivers or other Waters, by Branch or Branches, of Rivers and Waters; by Hills or Mountains; or by any other Mark or Marks whatsoever; and to what other Station, or Stations, the said Boundaries ought to run; and in what Manner, and how far, the same ought to run, and extend."——We John Stevens, James Parker, Henry Cuyler, and Walter Rutherford, four of the Agents, on the Part of the Province of New Jersey, in Obedience to his Majesty's Commands, beg Leave to lay before your Honours, a State of the Claim of the said Province, with the Grants, Deeds, Evidences and Proofs, or authentic Copies thereof, ready to be produced, under which, a Title to the said Colony, call'd Nova Cæsarea or New Jersey is derived, and upon which, the Claim herein after, more particularly mentioned, is founded, to the Boundary or Partition Line, between the Colonies aforesaid, from the *Station on Hudson's River*, to the *Station on Delaware River*.

First, We beg Leave to shew, That the States of Holland and their Subjects, with the Leave of King James the First of England, were in the Year 1663, and long before, possessed of all those Tracts of Land, on the Continent of North America, now called New York and New Jersey, on the East Side of Delaware River, and the Province of Pennsylvania, or a great Part thereof, and the three lower Counties of New-Castle, Kent, and Sussex, on the West Side of the said River; That his late Majesty King Charles the Second, by his Letters Patent, bearing Date the 12th Day of March, 1663-4, for the Consideration therein mentioned, did grant, to his Brother, James Duke of York, among other Things, the said Tract of Country by the Bounds, and in the Words following, that is to say, "All that Island, or Islands, commonly called by the several Name, or Names, of Mattowack or Long Island, situate, lying and being, towards the West of Cape Cod, and the narrow Higansetts, abutting upon the main Land, between the two Rivers, there called or known by the several Names of Con-

"necticut, and Hudson's River; together also, "with the said River, called Hudson's River, and "all the Land from the West Side of Connecticut, to the East Side of the Delaware Bay," together with all Royalties and Powers of Government.

That, about the Time of granting said Letters Patent to the Duke of York, his said late Majesty King Charles the Second, with an armed Force, dispossessed the Dutch of that whole Tract of Country, then called the new Netherland.

That, it being, as we apprehend, the Intent and meaning of his said late Majesty King Charles the Second, by his said Letters Patent, to grant to the Duke of York, all the Lands which the Dutch held and possessed, and by them called new Netherland; the said Duke of York soon afterwards took into his Possession, not only all the Lands lying between Connecticut River, on the East, and the Bay, and River Delaware on the West, but of the three lower Counties, and such Parts of the Province of Pennsylvania, as had been in the Possession of the Dutch, on the West Side of the said Bay and River Delaware; and by himself, his Governour and Agents, exercised Acts of Propriety, and Powers of Government therein.

That, the Duke of York being so seized, by Deeds of Lease and Release, bearing Date respectively the 23d, and 24th Days of June, 1664, did, for the Consideration therein mentioned, grant and convey, to John Lord Berkely Baron of Stratton, and Sir George Carteret, both of his Majesty's most Honourable Privy Council, in Fee, Part of the said entire Tract of Land, by the following Bounds, Viz. "All that Tract of Land "adjacent to New England, and lying and being, "the Westward of Long-Island, and Manhitass-Island, and bounded on the East, Part by the "Main Sea, and Part by Hudson's River; and "hath upon the West, Delaware Bay or River, "and extendeth Southward, to the Main Ocean, "as far as Cape May, at the Mouth of Delaware Bay; and to the Northward, as far as the Northernmost Branch of the said Bay, or River of Delaware, which is in *Forty one Degrees, and Forty Minutes of Latitude*; and crosseth over thence, "in a Straight Line, to Hudson's River in *Forty one Degrees of Latitude*; which said Tract of "Land, is hereafter to be called by the Name, or "Names, of New-Cæsarea or New-Jersey."

That Lord Berkely and Sir George Carteret, immediately took Possession of the said Province of New-Jersey, and early in the Year 1665, sent out from England, Philip Carteret Esq; their Governor, and were at a considerable Expence, in sending over Persons, to settle and improve the said Colony; in which they succeeded so well, That, on or before the Year 1671, the Settlements extended from the Sea Coast, up

along Hudson's River to Haverstraw, near to the Highlands.

That his said late Majesty King Charles the Second, was not only privy and consenting to the Duke's Grant of the said Province of New-Jersey, to Lord Berkely, and Sir George Carteret, and gave them his Countenance and Protection, in the Settlement thereof; but was pleased so far to interpose his Authority, to compel a due Obedience and Submission to them, as lawful Proprietors of the said Province, as to write a Letter, dated the 9th Day of December, 1672, to the then Deputy-Governor and Council, in the following Words, to wit:

"Charles, R.—Trusty and well beloved, we "greet you well: Having been informed, that "some turbulent and disaffected Persons, living "and inhabiting within the Province of Cæsarea "or New-Jersey, (the Propriety whereof, we "have granted, to our right trusty and well beloved Councillors, John Ld. Berkely, of Stratton, and Sir George Carteret, Knight and Baronet, do refuse to submit, and be obedient to "the Authority, derived from us to the said Lord "Berkely, and Sir George Carteret, as absolute "Proprietors of the same, to the great Prejudice "of the said Lords Proprietors, the Disturbance "of the Inhabitants, and Hindrance of the whole "Plantation there designed: We, do therefore, "hereby require you, in our Name, strictly to "charge and command all Persons whatsoever, "inhabiting within the said Province, forthwith "to yield Obedience to the Laws and Government there settled and established by the said "Lords Proprietors, having the sole Power under "us, to settle and dispose of the said Country "upon such Terms and Conditions as they shall "think fit: And we shall expect a ready Compliance with this our Will and Pleasure, from "all Persons whatsoever, dwelling or remaining "within the aforesaid Province, upon Pain of "incurring our high Displeasure, and being proceeded against with due Severity according to "Law; whereof you are to give public Notice to "all Persons, that are, or may be concerned; and "so we bid you Farewell.—Given at our "Court at Whitehall, the 9th Day of December, "1672, in the Twenty-fourth Year of our Reign."

By his Majesty's Command.

HENRY COVENTRY.

That, War breaking out between England and Holland, in the Year 1672, the Dutch reconquered and possessed themselves again, of the Provinces of New-York, New-Jersey, the Lower Counties, now New-Castle, Kent, and Sussex, and Pennsylvania, which had been taken from them, as aforesaid, in the Year 1664; and restored them again to the English by the Treaty of Westminster, in the Year following; upon which it was



thought prudential to procure new Grants for the said Country, from the Crown.

That, King Charles the Second, by his Second Letters Patent, bearing Date the 29th Day of June, 1674, did again, nearly in the same Words, grant and confirm unto the Duke of York, in Fee, the several Tracts of Land in America, which by his former Letters Patent he had granted.

That, The Duke of York, afterwards, by his Deeds of Lease and Release, bearing Date the 28th and 29th Days of July, 1674, did for the Consideration therein mentioned, grant and convey to the said Sir George Carteret, in Fee, as and for his Moiety of the said Province of New-Jersey; a Part thereof, described in the following Words, to wit: "All that Tract of Land adjacent to New-England, and lying and being to the Westward of Long-Island, and Manhattan's-Island, and bounded on the East Part by the Main Sea, and Part by Hudson's River, and extending Southward as far as a certain Creek, called Barnagat, being about the Middle between Sandy-Point and Cape-May; and bounded on the West, in a straight Line from the said Creek, called Barnagat, to a certain Creek in Delaware River, next adjoining to, and below a certain Creek in Delaware River, called Rancokas-Kill, and from thence up the said Delaware River, to the Northernmost Branch thereof, which is in *Forty-one Degrees and Forty Minutes of Latitude*, and on the North, crosseth thence in a straight Line to Hudson's-River, in *Forty-one Degrees of Latitude*."

That, John Lord Berkely, by his Deed dated on or about the 18th Day of March, 1673, granted his Moiety of the said Province of New-Jersey, to John Fenwick, in Fee.

That, The said John Fenwick, by Deeds of Lease and Release, dated the 9th and 10th Days of February, 1674; conveyed the said Moiety unto Edward Byllynge, William Penn, Gawen Lawrie, and Nicholas Lucas, reserving a Tenth Part thereof: Afterwards conveyed to the said Byllynge, Penn, Lawrie, and Lucas.

That, The last abovementioned Grant, from the Duke of York, to Sir George Carteret, containing within its Bounds, more than a Moiety of the said Province; the said Sir George Carteret, afterwards entered into an Agreement with the said Edward Byllynge, William Penn, Gawen Lawrie, and Nicholas Lucas, for an equal and just Partition of the said Province: In Consequence of which, a Division was accordingly made, and a Line of Partition settled and ratified by an Indenture Quintipartite, bearing Date the First Day of July, 1676, between the Parties aforesaid; by which the said William Penn and others, release to the said Sir George Carteret, "All that Easterly Part, Share, or Portion, and all those Easterly Parts, Shares, and Portions of the said

"Tract of Land, and Premises so granted and conveyed by his said Royal Highness the said James Duke of York, unto the said John Lord Berkely, and Sir George Carteret, as aforesaid, extending Eastward and Northward, along the Sea Coast and the said River, called Hudson's-River, from the East Side of a certain Place or Harbour, lying on the Southern Part of the same Tract of Land, and commonly called or known in a *Map of the said Tract of Land*, by the Name of Little Egg-Harbour, to that Part of the said River called Hudson's-River, which is in *Forty-one Degrees of Latitude*, being the *furthestmost* Part of the said Tract of Land and Premises, which is bounded by the said River, and crossing over from thence in a straight Line, extending from that Part of Hudson's-River aforesaid, to the Northernmost Branch or Part of the before mentioned River called Delaware-River; and to the most *Northerly Point* or Boundary of the said *Tract of Land* and Premises, so granted by his said Royal Highness James Duke of York, unto the said Lord Berkely, and Sir George Carteret."

That, The Duke of York, by Deed dated the 6th of Day August, 1680, reciting the Quintipartite Deed, conveyed to William Penn and others, Assigns of and claiming under Lord Berkely, "All that Part, Share, and Portion, and all those Parts, Shares, and Portions, of all that entire Tract of Land; and all those entire Premises, so granted by his said Royal Highness, unto the said John Lord Berkely, and Sir George Carteret, and their Heirs as aforesaid, as in, by, and upon said Partition aforesaid, was and were vested in the said William Penn, Gawen Lawrie, and Nicholas Lucas, and their Heirs, and then agreed to be called by the Name of West New-Jersey;" "and therein divided and separated from East New-Jersey, by a straight Line from the North Partition Point to the South Partition Point: And, which North Partition Point, is, in the said Deed from the Duke of York, to the said Assigns of Lord Berkely, particularly described to be, a certain *other Point*, there, "Now called the *North Partition Point*, being the most *Northerly Point Branch*, or Part of the said River, called Delaware-River."

That, The said Sir George Carteret, being seized as aforesaid, of the Eastern Division of New-Jersey, by his Testament and last Will, dated on or about the 5th Day of December, 1678, authorized the Right Honourable John Earl of Bath, and divers other Persons therein appointed, to sell and convey his Estate and Interest, in the said Province of New-Jersey, and died.

That, the said John Earl of Bath, and the other Trustees for that Purpose named in the said Will, by their Deed, dated the Second Day of February, 1682, and in the Thirty-fourth Year of the Reign



King Charles the Second, for the Consideration therein mentioned, conveyed the said Eastern Division of New-Jersey to William Penn, and Eleven others in Fee.

That, the said William Penn, and the other Grantees in the last mentioned Deed, on or about the Month of September 1682, sold and conveyed one Moiety of the said Eastern Share, or Division, to Robert Barclay and Eleven other Proprietors, by their several separate Deeds in Fee.

That, The Duke of York afterwards by Deed, dated March 14th; 1682; and in the Thirty-fifth Year of the Reign of King Charles the Second, for and in Consideration of a competent Sum of lawful English Money, "and for the better Extinguishing all such Claims and Demands as his said Royal Highness, or his Heirs may anywise have, of or in the Premises aforesaid now called East New-Jersey, or any Part of them," did grant and confirm unto the said Twenty-four Proprietors, their Heirs and Assigns: "All that Part Share and Portion, and all those Parts Shares and Portions, of all that *entire* Tract of Land, and all those *entire* premises so granted by his said Royal Highness, unto the said John Lord Berkely, and Sir George Carteret, and their Heirs, as in, by, and upon the said *Partition*, was, and were vested in the said Sir George Carteret, and his Heirs, and then agreed to be called by the Name of East New-Jersey; and in the said Deed, from the Duke of York, to the said Twenty-four Proprietors, the before mentioned Indenture Quintipartite, is recited and referred to, and the Bounds of East New-Jersey, is therein described, in the following Words, to wit: "All that Easterly Part, Share and Portion, and all those Easterly Parts, Shares and Portions, of the said Whole, and *entire* Tract of Land, and Premises before mentioned, extending Eastward and Northward, along the Sea Coast and the said River, called Hudson's River, from the East Side of a certain Place or Harbour, lying on the Southerly Part of the same Tract of Land, and commonly called or known in a Map of the said Tract of Land, by the Name of Little Egg Harbour, to that Part of the said River, called Hudson's River, which is in *Forty-one Degrees of Latitude*, being the *furthestmost* Part of the said Tract of Land, and Premises which is *bounded* by the said River; and crossing over from thence in a Straight Line, extending from that Part of Hudson's River aforesaid, to the *Northernmost* Branch of the aforementioned River, called Delaware River, and to the *most Northernly* Point, or Boundary of the said *entire* Tract of Land, and Premises now called the North Partition Point; and from thence, that is to say, from the North Partition Point, extending Southward unto the *most Southerly* Point, by a straight and direct Line

"drawn through the said Tract of Land, from the said *North* Partition Point to the said *South* Partition Point."

That, His said late Majesty Charles the Second, being fully acquainted with, and approving of the several Sales, Conveyances, and Partition of the said Province of New-Jersey, above stated; and more especially of the just Rights and Title of the said Twenty-four Proprietors, to the Eastern-Division of New-Jersey; was pleased to signify such his Royal Approbation, by a Letter under his Hand, bearing Date the 23d November, 1683, to the Governor and Council of East New-Jersey, in the following Words, to wit:

"Charles R—. Whereas his Majesty for divers good Causes and Considerations, him thereunto moving, by Letters Patent, bearing Date the 29th Day of June, Anno Domini, 1674, in the Twenty-sixth Year of his Majesty's Reign, was pleased to give and grant unto his dearest Brother James Duke of York, several Territories, Islands, and Tracts of Land in America, Part of which were since called by the Name of *Nova-Casarea* or *New-Jersey*; and was vested in John Lord Berkely, of Stratton, and Sir George Carteret, Knight and Baronet; who were both of his Majesty's most honourable Privy-Council, and in their Heirs and Assigns, and the East Part or Portion of the said Province of New-Jersey, by a certain Deed of *Partition* afterwards made, became the Share of the said Sir George Carteret, his Heirs and Assigns, and was agreed to be called *East New-Jersey*, and was since assigned to the present Proprietors: And, whereas his Royal Highness James Duke of York, by his Indenture, bearing Date the 14th Day of March, Anno Domini 1682, in the Thirty-fifth Year of his Majesty's Reign, (for the Consideration therein mentioned) did grant and confirm the said Province of East New-Jersey, extending Eastward and Northward along the Sea Coast and Hudson's River, from Little Egg-Harbour to that part of *Hudson's River, which is in Forty-one Degrees of Northern Latitude*; and otherways bounded and limited as in said Grant and Confirmation, Relation being thereunto had, may more particularly and at large appear, unto James Earl of Perth, John Drummond, of Lundie, as also unto Robert Barclay, of Urie, Esq; Robert Gordon, of Clunie, Esq; and others his Majesty's loving Subjects in England, Scotland, and elsewhere, to the Number of Twenty-four Grantees, and to their Heirs and Assigns forever, together with all Powers and Jurisdictions necessary for the good Government of the said Province. His Majesty therefore, doth hereby declare his Royal Will and Pleasure, and doth strictly charge and command the Planters and Inhabitants, and all other Persons concerned in the

"said Province of East New-Jersey, that they do submit and yield all due Obedience to the Laws and Government of the said Grantees, their Heirs and Assigns, as *absolute Proprietors* and Governors thereof, who have the sole Power and Right derived under his Royal Highness, from his said Majesty, to settle and dispose of the said Province, upon such Terms and Conditions as to them shall seem good; as also to their Deputy, or Deputies, Agents, Lieutenants, and Officers, lawfully commissioned by them according to the Powers and Authorities granted to them: And of this, his Majesty's Royal Will and Pleasure, the Governor and Council is required to give public Notice; his Majesty expecting and requiring forthwith, a due Compliance with this his Royal Will and Pleasure, from all Persons, as well *without the Province* as within the same, (whom these Presents do or may concern) as they will answer the contrary thereof at their Peril.—Given at the Court at Whitehall, the 23d Day of November, 1683, in the Thirty-fifth Year of his Majesty's Reign."

By His Majesty's Command.

SUNDERLAND.

Under these several Letters Patent, Deeds, Confirmations, and Evidences; we the Agents for the Province of New-Jersey, humbly contend,

That, The said Province is, and ought to be limited and bounded to the Northward, by a straight Line drawn from the Latitude of *Forty-one Degrees* on Hudson's River, to the Latitude of *Forty-one Degrees and Forty Minutes* on the *Northernmost* Branch of the River Delaware; and that the said Line, and *no other*, can, consistent with the plain and true Intent and Meaning of the said Deeds, be established as the Northern Boundary and Partition Line between New-York and New-Jersey: And, we have the Pleasure to find, on looking back into the Records and public Proceedings of the said Colonies, that we are supported in the present Claim, and in the Constructions of the Deeds before stated, not only by the uniform Opinion of some of the first Grantees of the Province of New-Jersey, and their Successors. But by the concurrent Sense and Concessions of the several Governors, and Councils of New-York, and the Legislature of both the said Colonies, from the first Settlement thereof until about the Year 1755, when, for the *first Time*, Objections were made to the said Boundary on the Part of New-York; but, upon what Foundation or Pretence, we, on Behalf of the said Province, now most humbly and cheerfully submit to your Honour's Judgment and Determination.

As we do not think it necessary to enter into particular Arguments and Observations on the several above stated Grants and Deeds; we shall

only trouble you for the Present with a few Proofs, to show that the Claim now made by the Province of New-Jersey, was not only undisputed but universally agreed to, and acknowledged for the Course of at least Ninety Years after the first Grant thereof made by the Duke of York.

In the Year 1686, it appears by the Council Minutes of New-York, That, Col. Thomas Dongan, Governor of New-York, Gawen Lawrie, Esq; Deputy-Governor of East New-Jersey, and John Skene, Esq; Deputy-Governor of West-Jersey, agreed to run the Partition Line between the said Provinces; in Consequence of which, on the first of September, 1686, the following Instructions were given to Philip Wells, Surveyor, on the Part of New-York.

At a COUNCIL, September 1, 1686.

PRESENT—The GOVERNOR,  
Mr. STEPHEN VAN CORTLANDT,  
Mr. NICHOLAS BAXARD,  
Major G. BAXTER,  
J. SPRAGGE.

"The following Instructions were given to Philip Wells, Esquire, Surveyor of his Majesty's Province of New-York:

"YOU are carefully, and with Exactness to run the Line between this Province, and that of East-Jersey, *beginning* in the Latitude of *Forty-one Degrees and Forty Minutes*, upon Delaware-River.

"That being done, you are to make the best Mark you are able, where the Bounds of the Government fall, and to give a punctual Report thereof, under the Hands of yourself, and the other Surveyors concerned, with as much Speed as conveniently may be, into the Secretary's-Office: And, because it is very requisite to know the Nature of the Soil; you are also to take notice of, and observe the Nature of the Country, and to give me a Description of it.—Given under my Hand at Fort-James, in New-York, this First Day of September, 1686."

"To Philip Wells, Esquire, Surveyor-General of his Majesty's Province of New-York:

Nothing ~~first~~ being done in Pursuance of the above Agreement and Instructions; in the Year 1717, an Act of General Assembly was passed by the Legislature of New-York, which among other Things, directed and made Provision for the running and ascertaining the said Partition Line, in Conjunction with the Province of New-Jersey,—which Act received the Royal Assent on the 19th of May, 1720.



An Act of Assembly of like Import, with that of New-York, being passed in the Province of New-Jersey the Year following; Commissions were soon afterwards issued in both Governments, appointing Commissioners and Surveyors, to ascertain and run the said Line; in which Commissions, they are among other Things directed, "Carefully and diligently to Inspect and Survey, "all or such of the Streams of Water that form "the River Delaware, which they the said Commissioners, or the Surveyor or Surveyors, may "esteem necessary to be inspected or surveyed, "in order to find out and determine which of the "Streams is the *Northernmost Branch* of the "River Delaware; and that, then when such "Branch is so discovered, that, the Surveyor or "Surveyors, carefully according to the best of "their Knowledge and Understanding, discover "and find out *that Place* of the said Northernmost "Branch of Delaware-River, that *lies* in the Latitude of *Forty-one Degrees and Forty Minutes*, "which is, *The North Partition Point of New-York and New-Jersey*, &c. And further that they "Carefully find out and discover, that Part "on the West-Side of Hudson's-River, that lies "in the *Forty-one Degree* of Latitude; and that, "when that *Place* is known, which is the *furthermost* Place of the Province of New-Jersey, that "is bounded by said *Hudson's-River*;" then the "said Commissioners and Surveyors, according to "the best of their Skill and Knowledge, shall "run, survey, and mark out a straight and direct "Line from that *Part* of Hudson's-River in the "Forty-one Degree of Latitude, unto *that Place* "aforesaid, called the North Partition Point, "upon the *Northernmost Branch* of Delaware, "which is in the Latitude of *Forty-one Degrees and Forty Minutes*, &c. As by the exemplified "Copies of the said Commissions ready to be "produced, may more at large appear.

The Commissioners and Surveyors, being thus fully and legally authorized and commissioned, (and the Surveyors being first sworn) they entered upon the Work committed to them in the Year 1719, and after agreeing that the Stream or River, which is commonly called or known by the Name of Fishkill, was the *Northernmost Branch* of the River Delaware, they with great Care and Accuracy ascertained and fixed the *Latitude of Forty-one Degrees and Forty Minutes*, upon the East-Side of the said Northernmost Branch, as by the Copy of an Indenture Tripartite, under the Hands and Seals of the said Commissioners and Surveyors, ready to be produced, may more at large appear.

The Surveyors then proceeding, agreeable to the before in Part recited Commissions, to Hudson's-River, in order there to ascertain the Latitude of *Forty-one Degrees*; Allane Jarratt, the Surveyor, on the Part of New-York, *discovered or*

*pretended* to discover some Defect in the Instrument made use of in taking the Observations at that Place and the Fishkills; for which Reason *only*, a Stop was put to the said Work by the Government of New-York, until a better Instrument could be procured: and it is very remarkable, that in the Course of the Debates between the said Governments, the Reports of Council, and Assembly, and Petitions of Persons principally interested on the Part of New-York, in the Lands near the Line which appear on the Books and Records of both Provinces, and which are (if judged necessary) ready to be produced to your Honours, there was not the least Objection made against the Extension of the Boundary of New-Jersey, to the Latitude of *Forty-one Degrees and Forty Minutes*, on the *Northernmost Branch* of Delaware, and the Latitude of *Forty-one Degrees* on Hudson's-River; but on the contrary, the said Bounds were ever admitted, and the whole Matter in Contest was confined to two Points; whether the Latitude of *Forty-one Degrees and Forty Minutes*, *had been truly ascertained?* and whether the Branch called the Fishkill, *was the Northernmost Branch* of the River Delaware?

And, That, these continued to be the Sentiments of the Legislature of the Province of New-York, till very lately, will appear by the Minutes of the Assembly of that Province, of the 29th of October, 1754; wherein a Report of the Committee on this Matter, is entered in the following Words, to wit: "That, it appeared to "them, that in the Year 1686, two stations were "fixed, as the terminating Points of the Line of "Division to be run (tho' the same, as far as they "can discover, *never* was run) between the Provinces of New-York, and New-Jersey, viz. The "one on the *Northernmost Branch* of Delaware-River, in *Forty-one Degrees and Forty Minutes* North Latitude, and the other on Hudson's-River in *Forty-one Degrees* North Latitude, "which is due West from Lower Yonker's Mill's." And in the said Report, they further say, "That, "as to the Station on Delaware-River, notwithstanding it appears to have been fixed in *Forty-one Degrees and Forty Minutes* North Latitude, "on the Most Northwardly Branch of Delaware-River; yet, *which* is the *most Northernly Branch* "of that River, or *what Part* thereof is in the "Latitude of *Forty-one Degrees and Forty Minutes*, they cannot certainly discover."

And also by a Report of the Council of that Province to the Lieutenant-Governor thereof, dated the 17th of December, 1754; wherein they say, "we come now to the Report of the Committee of the General Assembly of this Province, and do humbly report unto your Honour, "that we have considered the same, and observe "its *Agreement with our Sentiments* relating to "the Stations of 1686."



And in the said Report, further say, "Which Station on Delaware appears to have been fixed on the *then esteemed* Northwardmost Branch of Delaware, and on such Part thereof as at that Time was found by the Surveyors of East and West-Jersey, and New-York, to be in the Latitude of *Forty-one Degrees and Forty Minutes North.*"

We shall here close the State of this Matter on the Behalf of the Province of New-Jersey, hoping that we shall be indulged in offering such further Matters as may be found necessary, either for the better Elucidation of the Facts, or the Constructions herein set forth, or in Answer to whatever may be offered on the Part of the Province of New-York: And, we can with great Truth say, that the Government of New-Jersey hath ever been desirous of bringing to an Issue this important Matter; and it gives us the highest Pleasure that his Majesty has now been graciously pleased to submit the Decision of it to Judges whose Impartiality and Abilities cannot fail to secure to the contending Parties, a Determination founded in Wisdom and Justice.

JOHN STEVENS	} Agents on the
JAMES PARKER,	
HENRY CUYLER,	
WALTER RUTHERFURD,	
	Part of the
	Province of
	New-Jersey.

*New-York, July 18, 1769.*

### III.—WHO KILLED GENERAL BRADDOCK?

The disastrous defeat of this famous general on the ninth of July, 1755, in the expedition against Fort DuQuesne, now Pittsburg, is well known. In his extreme self-confidence and presumption, disregarding the warnings of Washington, he fell into an ambuscade of French and Indians, seven miles from the fort; and after having five horses shot under him, was mortally wounded, and the whole army then retreated in great disorder, leaving their wounded and baggage to the mercy of the savage foe.

Now, I am informed by a most respectable gentleman, a native of Iredell County, North Carolina, where he has always lived—James S. Allison, Esqr., now fifty-four years old—that when he was a small boy, his father lived on the same farm with his grandfather William Allison, and his grandmother Agnes Allison, whose original name was Allison, and the cousin of her husband. That she was born in Philadelphia County, Pennsylvania, her parents having come from Ireland and settled there, and that she died in 1834, aged about eighty years. That she told him, the

said James S. Allison, many a time, that she had an older brother by the name of Robert Allison, who was a captain in Braddock's army, in the advance guard; and that this brother—who was also in several skirmishes with the Indians, in connection with General, then Colonel Washington; and also a captain in the Pennsylvania troops in the Revolutionary War, and was killed near the close of it—always told her, that when they fell into the ambuscade in Braddock's campaign, and many had been killed, and especially the officers, they could not see the enemy among the trees and bushes, nor defend themselves; and the General would not let them retreat; then that he, the said Captain Robert Allison, directed his orderly sergeant to shoot him, in order that they might get out of the difficulty without any further useless sacrifice of life. This officer, instead of shooting the General, shot several horses under him: and then that he, the said Captain Robert Allison, took the gun out of the hands of the officer, and shot Braddock himself. That he told her, his sister, Agnes Allison, not to make this public, at that time, for he would be hung for it.

My informant, however, born in 1812, often heard her speak of it, up to 1834, when she died; and he had more knowledge of it than the other grandchildren, for he was the oldest grandchild, and was often in the company of his grandmother. The two families used water from the same spring, in the lower end of Iredell County, North Carolina, to which his grandparents had emigrated from Pennsylvania, before the revolution.

The name Robert is a prevailing name in various branches of the extensive Allison family in this country; the writer has known of at least six of that name. The allegations of this old lady on other points, so far as they go, correspond with the various histories, but she never read any history of the transaction. And no family, either in Pennsylvania or in several adjacent counties in North Carolina, is of higher respectability than the name of Allison. There is no essential improbability in the statement, and it is believed that in both the Mexican War, and the more recent War in our land, cases of this kind have often occurred where officers in the army have been purposely shot by their own men.

There would seem to be no motive for Captain Robert Allison to claim this deed for himself, if it were not the fact. He would be liable to condign punishment if the matter came to light; hence a good reason for not having it known out of the family for a long time, and till the danger was past.

E. F. R.

DAVIDSON COLLEGE, N. C., Sept. 1866.

## IV.—REV. JOHN ASHLEY OF DEERFIELD.

[This distinguished minister was born in 1713, graduated at Yale College in 1730. and, on the eighth of November, 1732, was ordained Pastor of the church at Deerfield, Mass.]

He was widely known and greatly respected; and few of his contemporaries exercised a greater influence in the churches.

The following notes of one of his sermons, preached at Deerfield, on the twenty-third of January, 1749, are copied from the original Manuscript, in the possession of the Rev. E. H. Gillette, D.D., of Harlem, N. Y.; and will serve to illustrate the views of the Clergy of New England, concerning the duties of Masters and Slaves, a century ago.—[Ed. HIST. MAG.]

I. Cor. 7. 22. *For he that is called in ye Lord, being a servant, is the Lord's Freeman; likewise also, he that is called, being free, is Christ's Servant.*

DEERFIELD January 23. 1749.

*Preached on an evening Lecture to the Negros.*

God has no regard of persons in the affair of our Salvation; whosoever will is invited to come and take of the waters of life freely. *Is. 55, beg. Rev. 22.*

There are none of the human race too low & despicable for God to bestow Salvation upon. Yea it is the mean & base things of this world which God is pleased to elect to eternal life—whilst the rich are sent empty away, & y<sup>e</sup> great and honorable are left to perish in their sins.—There are some of the children of men, however wretched and miserable y<sup>r</sup> case is, [*that*] have no sense of y<sup>r</sup> need of a Saviour—They are satisfying themselves with earthly things—They glory in the enjoyment of this world—They say who will show us any earthly good—They pant after the dust of y<sup>e</sup> earth, but they have no desires after Spiritual and eternal things—Some look upon themselves [*as*] too good to trouble themselves about the pardon of Sin. Fruits of [*the*] Spirit, meekness, humility, repentance towards God are too much beneath them, so some are ready to look upon themselves [*as*] above the duties of Xtianity.

On the other hand, there are some who are tempted to think themselves beneath the offers of mercy, & they are ready to think—God will not have mercy on them, because they are such poor miserable creatures. It may be they are poor and despised—and will God think on them whom the world will take no notice of—or it may be they are ignorant, and cant know and understand like other men—and it is not worth while for them to trouble themselves much about Salvation.

Or it may be they think y<sup>v</sup> are Servants & y<sup>v</sup> han't time or advantages, & they are such poor creatures that it is not likely they shall ever obtain mercy. But let us take notice of the riches of grace to the children of men—The poor may

be rich in faith and heirs of Glory—The ignorant may understand and know God in Christ, whilst the wise perish in their own understanding.

Servants who are at the dispose & Command of others, who, it may be, are despised in the world, may be the Lord's freemen and heirs of glory.

1<sup>st</sup> I will show that Christianity allows of the relation of masters and Servants.

2<sup>dly</sup>. I will show that such as are by Divine providence placed in the State of Servants, are not excluded from Salvation, but may become the Lord's freemen.

3<sup>dly</sup>. I will show what a privilege and advantage it is to be a freeman in the Lord.

4<sup>thly</sup>. Will give some Directions to such as are servants to become the Lord's freemen.

5<sup>thly</sup>. Will show what motives there are for such to seek to be the Lord's freemen.

1<sup>st</sup>. I will show y<sup>t</sup> Xtianity allows of y<sup>e</sup> relation of masters and Servants.

When the Gospel was first preached to y<sup>e</sup> Gentiles, & y<sup>v</sup> partook of the glorious privileges of it, the Devil endeavored to puff them up with pride & to lead them into an abuse of the liberties of the Gospel. Servants who became believers, were ready to despise their unbelieving masters—and began to proclaim liberty to themselves, and declare it unlawful for such as were Xtians to be Servants. But the Apostle by the direction of God's Spirit, considers and determines this point—They who were servants were not to forsake y<sup>r</sup> masters, but to abide in that Station—Nor would he have them trouble themselves about being Servants. So when Onesimus, a Servant, ran away from his master, and was persuaded to be a christian by Paul, he does not tell him to forsake his master, but sent him home to him, and tells Philemon in his epistle he would be profitable to him for time to come,—What a temptation of the Devil is it therefore to lead Servants into Sin, and provoke God; to insinuate into them they ought not to abide in y<sup>r</sup> place of Servant,—and so either forsake their master or are uneasy, unfaithful, slothful Servants, to the damage of masters and the dishonor of religion—the reproach of Xtianity.

Secondly I am to show that Such as are by Divine Providence placed in the place of Servants are not excluded from Salvation, but may become y<sup>e</sup> Lord's freemen—The offers of Salvation are made to Servants as well as masters—There is no distinction among men. Whosoever will, is invited to come and be saved by X Jesus—he will cast out none if they have no money to buy—nothing that this world value—if they have no righteousness or goodness of y<sup>r</sup> own, yet y<sup>v</sup> shall find rest in X to y<sup>r</sup> Souls. The Gospel is not sent to one nation or people, but to Gentiles as well as Jews, to Barbarians Seythians—bond

and free are all alike welcome to X—tho they are under bonds to earthly masters—yet they may be free in X. Spiritual liberty is not inconsistent with a State of Servitude—men may serve their masters, and yet be free from the law of sin and death, and be free to serve X.

Thirdly I am to Show what a privilege it is to be the Lord's freeman, and it includes these things.

1<sup>st</sup> They who are the Lord's freemen are delivered from the Covenant of works. They are not under the law, but under grace.

2<sup>dly</sup>. They are free from the condemnation of death that is passed upon them.

3<sup>dly</sup>. They are freed from the power and dominion of sin, and are enabled to Serve X.

4<sup>thly</sup>. They are freed from the hands of Satan and set at liberty from his Kingdom.

5<sup>thly</sup>. They are freed from the bondage of fear and have good hope through grace—a sure refuge in X Jesus,—these are great privileges were there nothing more,—but as in cities or in Commonwealths, freemen have great privileges, so it is in the will of God Xts freemen have great privileges.

6<sup>thly</sup>. They are children of God, adopted into his family.

7<sup>thly</sup>. They are friends of God, and have liberty of access to him at all times, to lay open their wants and grievances to him.

8<sup>thly</sup>. They are entitled to all the great and precious promises which God has made to his people in his word.

9<sup>thly</sup>. They who are Christ's freemen are led by the Spirit of God—his Spirit dwells in them to guide, quicken and comfort them.

10<sup>thly</sup>. Xts freemen are heirs of eternal glory & y<sup>e</sup> are training up by providences and ordinances to eternal life and happiness.

11<sup>thly</sup>. Xts freemen have the holy angels to guard them & minister to them in the world.

12. Xts freemen when they come to die enter into everlasting rest and glory. They go to be with the Lord.

Fourthly I will give some directions to you that you may become Christ's freemen.

1<sup>st</sup> You must break off from all sin and sincerely repent of all your past wickedness.

2<sup>dly</sup> You must believe on the Lord Jesus Christ and accept of him on the terms of the Gospel, subjecting yourselves to his Government.

3<sup>dly</sup> You must be holy in all manner of life and Conversation—if you live in sin you are the Servants of sin & are not Xts freemen.

4<sup>thly</sup> You must watch against Sin and Keep at the greatest distance from it.

5<sup>thly</sup> You must be contented with your State & Condition in the world and not murmur and complain of what God orders for you.

6<sup>thly</sup> You must be faithful in the places God

puts you and not be eye Servants—in vain to think to be Xts freemen & be slothful Servants.

7<sup>thly</sup> If you would be the Lord's freemen you must resist all temptation to sin and be exemplary in your lives and Conversation.

8<sup>thly</sup> Be constant and diligent in the uses of the means of Grace—read pray meditate—hear the word preached.

Fifthly for motive consider 1<sup>st</sup> if you are not Xts freemen you will be the Slaves of the Devil.

2<sup>dly</sup>. If you are Xts freemen you may contentedly be servants in the world—3<sup>thly</sup> X is come into the world and died to free you—4<sup>thly</sup> God has done much for some of you to make you free—5<sup>thly</sup> you are under good advantages to obtain your liberty by X. 6<sup>thly</sup> The time is that you know not what may be on the morrow. 7<sup>thly</sup> Think what it is to die in sin—not freed by X.

## V.—GEMS FROM THE DIadem OF MASSACHUSETTS.—CONTINUED.

### 3.—WHAT MASSACHUSETTS IS.\*

A CONSTITUTION OR FRAME OF GOVERNMENT, agreed upon by the Delegates of the People of the STATE OF MASSACHUSETTS BAY.

#### IN CONVENTION,

Begun and held at Cambridge, on the First of September, 1779, and continued by Adjournments to the Second of March, 1780.

\* \* \* \*

### PART THE SECOND.

#### *The Frame of Government.*

The people, inhabiting the territory formerly called the Province of Massachusetts Bay, do hereby solemnly and mutually agree with each other, to form themselves into a Free, Sovereign, and Independent Body-politic or State, by the

\* From the Appendix of *The Journal of the Convention for framing a Constitution of Government for the State of Massachusetts Bay*. Published by order of the Legislature. Pp. 222, 228, 249.

By reference to the Amendments proposed by the Convention of 1820, and ratified in 1821 (*Ibid*, 250–252), to those proposed by the Legislatures of 1829–30 and 1830–31, and ratified by the People in 1831 (*Ibid*, 252, 253), and to those proposed by the Convention of 1853, and rejected by the People (*Journals of the Convention*, iii., 737–768), it will be seen that Massachusetts is now, what the Fathers left her, in 1780, a “Free, Sovereign, and Independent Commonwealth.”—ED. HIST. MAG.



name of THE COMMONWEALTH OF MASSACHUSETTS.

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JAMES BOWDOIN  
President

Attest.

SAMUEL BARRETT  
Secretary.

4.—“FREEDOM TO WORSHIP GOD,” IN MASSACHUSETTS.\*

An Act against Jesuits and Popish Priests.

**W**HEREAS divers Jesuits, Priests and Popish Missionaries have of late come, and for some Time have had their Residence in the remote Parts of this Province, and other His Majesty's Territories near adjacent; who by their subtle Insinuations, industriously labour to debauch, seduce and withdraw the Indians from their due Obedience unto His Majesty; and to excite and stir them up to Sedition, Rebellion and open Hostility against His Majesty's Government:

For Prevention whereof:

BE IT ENACTED BY HIS EXCELLENCY THE GOVERNOUR, COUNCIL AND REPRESENTATIVES IN GENERAL COURT ASSEMBLED, AND IT IS ENACTED BY THE AUTHORITY OF THE SAME, That all and every Jesuit, seminary Priest, Missionary, or other spiritual or ecclesiastical Person made or ordained by any Authority, Power or Jurisdiction derived, challenged or pretended from the Pope or See of *Rome*, now residing within this Province, or any Part thereof; shall depart from and out of the same, at or before the tenth Day of *September* next, in this present Year, One Thousand and seven Hundred.

AND BE IT FURTHER ENACTED BY THE AUTHORITY AFORESAID, That all and every Jesuit, seminary Priest, Missionary, or other spiritual or ecclesiastical Person, made or ordained by any Authority,

Power or Jurisdiction, derived, challenged or pretended from the Pope or See of *Rome*; or that shall profess himself, or otherwise appear to be such by practising and teaching of others to say any popish Prayers, by celebrating Masses, granting of Absolutions, or using any other of the Romish Ceremonies and Rites of Worship, by or of what Name, Title or Degree soever such Person shall be called or known; who shall continue, abide, remain, or come into this Province, or any Part thereof, after the tenth Day of *September* aforesaid; shall be deemed and accounted an Incendiary, and Disturber of the publick Peace and Safety, and an Enemy to the true Christian Religion, and shall be adjudged to suffer perpetual Imprisonment: And if any Person being so sentenced and actually imprisoned, shall break Prison and make his Escape, and be afterwards re-taken, he shall be punished with Death.

AND FURTHER IT IS ENACTED, That every Person who shall wittingly and willingly, receive, relieve, harbour, conceal, aid or succour, any Jesuit, Priest, Missionary, or other ecclesiastical Person of the Romish Clergy, knowing him to be such, shall be fined *two Hundred Pounds*; one Moiety thereof to be unto His Majesty, for and towards the Support of the Government of this Province, and the other Moiety to the Informer; and such Person shall be further punished by being set in the Pillory on three several Days; and also be bound to the good Behaviour, at the Discretion of the Court.

AND BE IT ALSO ENACTED, That every Offence to be committed or done against the Tenor of this Act, shall and may be inquired of, heard and determined in the Court of Assize and General Goal Delivery, or before Commissioners of Oyer and Terminer and Goal Delivery, specially to be appointed to sit either within the County where the Offence is committed, or where the Offender is apprehended or taken; or in any other County within the Province: Any Law, Usage or Custom to the contrary notwithstanding.

AND FURTHER BE IT ENACTED BY THE AUTHORITY AFORESAID, That it shall and may be lawful to and for every Justice of the Peace, to cause any Per-

\* This Act was passed by the Great and General Court or Assembly of His Majesty's Province of the Massachusetts Bay in New England, begun and held at Boston, on Wednesday, the twenty-ninth Day of May, 1760.

It may be found in *Acts and Laws of His Majesty's Province of the Massachusetts Bay in New England*, Ed. 1742, pp. 119, 120.

son or Persons suspected of being a Jesuit, seminary Priest, or of the Romish Clergy, to be apprehended and convented before himself, or some other of His Majesty's Justices. And if such Person do not give a satisfactory Account of himself, he shall be committed to Prison, in order to a Trial.

Also it shall and may be lawful to and for any Person or Persons to apprehend without a Warrant, any Jesuit, seminary Priest, or other of the Romish Clergy as aforesaid, and to convent him before the Governour, or any two of the Council, to be examined and imprisoned, in order to a Trial; unless he give a satisfactory Account of himself.

And as it will be esteemed and accepted as a good Service done for the King, by the Person who shall seize and apprehend any Jesuit, Priest, Missionary, or Romish Ecclesiastic as aforesaid; so the Governour with the Advice and Consent of the Council, may suitably reward him as they shall think fit.

*Provided*, This Act shall not extend or be construed to extend unto any of the Romish Clergy which shall happen to be Shipwreck'd; or through other Adversity shall be cast on Shoar, or driven into this Province; so as he continue or abide no longer within the same than until he may have Opportunity of Passage for his Departure; so also as such Person immediately upon his arrival shall forthwith attend the Governour, if near to the Place of his Residence, or otherwise on one or more of the Council, or next Justices of the Peace, and acquaint them with his Circumstances, and observe the Directions which they shall give him, during his stay in the Province.

## VI.—ABORIGINAL INGENUITY.

THE TEPITI.

BY HON. THOMAS EWBANK.

[Of devices peculiar to American Indians, this one has been referred to (in the September number of the HISTORICAL MAGAZINE); and as it is believed to be the most original mechanical conception of the aborigines, and, so far as known, *unique*, a description of it will be acceptable to most of our readers.—*ED. HIST. MAG.*]

Were all the contrivances of untutored tribes collected together, they would present a greater range of research, and inventions more beautifully simple, than we are apt to imagine. Some are

such as science is glad to adopt, many which she is slow to supersede, and others, as the boomerang, that she is puzzled to explain. Barbarian patriarchs of our species were the parents of the arts, spinning and weaving rose with them; elemental metallurgy and earthen ware are theirs. The chisel and drill, the hatchet and adze they gave us, and from them the most precious of primitive conceptions were received—the means of producing and using fire. In their condition they evinced as fine talents for invention as have their descendants under more favorable circumstances. With them every device was original, and the arts of civilization are, in the main, improvements on their suggestions—expansions of their ideas. We build on a foundation they laid, and cultivate a field they began to plant.

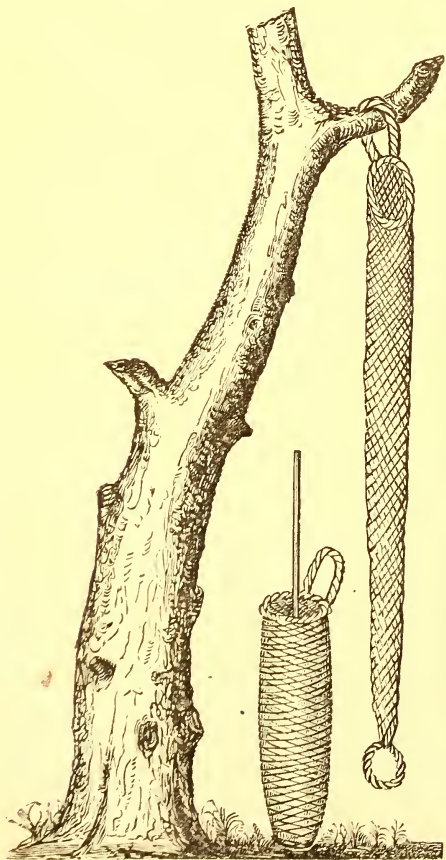
Amid the furor attending modern inventions, primitive ones are neglected, much as letters are by those who have learned to read. We inherit the mechanical alphabet from barbarians, and, considering the times, places, and circumstances in and under which the elements of the world's machinery were disclosed, an account of their origin and early applications would form a brilliant chapter in the romance of history and of the first rude struggles of genius. If scholars can learn nothing from children's "first lessons," the wild man's horn-book of inventions may be consulted with advantage by those who are in quest of new ideas or even new principles. The Tepiti, a very ancient contribution of some mechanical Cadmus of the tropics, is an example. Having had occasion recently to refer to it, I have thought, as illustrating a principal little known or used, a description of it might be usefully suggestive to inventors.

On their discovery, the red race was found in possession of two chief elements of vegetable food; one the seeds of a grass *maize*, the other the roots of a shrub, *cassava*. The first was cultivated in the temperate, the second in the warmer zones, and throughout the same parallels they are still prepared and used by the natives as by their ancestors immemorially. Every one knows how northern Indians pounded their corn in mortars, and how often, among other relics turned up by the plough, stone implements for that purpose occur. The treatment of the southern product was different. The mandioca, or cassava root, is a species of potato, resembling, in its long, irregular figure and dimensions, the sweet potato. It cuts like our Mercers, white, firm, watery, and somewhat fibrous. It is cultivated as extensively throughout Spanish and Portuguese America as maize is with us. Farina prepared from it resembles in appearance and qualities our Indian meal. It is "the bread of "Brazil." There slaves live chiefly on it, and planters, merchants, and all classes have it always



on their tables. In the process of converting the root into flour, a higher and more varied order of mechanical resource was displayed by primitive millers of the south than is revealed in the "corn-crackers" or "bread-pounders" of the north.

The root is first washed, scraped, and then grated to a pulp. This they do on a slab of wood prepared by smearing over one side with a thick gum, in which they insert a multitude of sharp particles of flint or granite broken up for the purpose. The gum hardens like stone and produces a rasp or grater that lasts a life-time. On one of these a root is rubbed down in a moment, and when any required quantity is thus treated, in order to get rid of the poisonous water, the pulp is put into the Tepiti, a coarse, basket-like tube, made of thin splits of cane or bamboo, three-fourths of an inch wide and rather loosely interwoven. (See figure.)



A common size is five feet long, five to six inches diameter at the mouth or open end,

and three or four at the bottom or closed one. A large loop, or a couple of strong withes, is formed at each end. When used, the first thing is to wet it if dry. The operator then grasps the edges of the mouth with both hands, and, resting the bottom on the ground, throws the weight of his body on the basket till he has crushed it down to about half its previous length or height, and, consequently, swelled out its diameter. A smooth stick, like a broom-handle, is then introduced, the pulp put in and packed round it till the basket is filled. It is then suspended from a hook or the limb of a tree and a heavy stone or basket of stones fastened to the bottom, the weight of which stretches the tube till it becomes longer than at first. The capacity, of course, diminishes with the extension, and the contracting sides press the pulp against the unyielding stick and squeeze out the water. Instead of stones, one end of a log of wood is inserted into the lower loop and loaded with a papoose or two, or anything else at hand, or the squaw herself puts a foot in the stirrup and serves as the weight.

Such is the Cassava press, an invention dating back to the earliest settlers of Central and South America, or coeval with their knowledge of the root. It was as common among the Caribs of the Islands as it was and is with Indians on the Amazon and Orinoco, and throughout the vast regions from Mexico to the Plata. In Brazil there are those who prefer it to screw presses imported from Lisbon and Malaga at a cost from two to three hundred dollars. I purchased one at a venda, for sixteen cents, of the above dimensions, and for it the Indian manufacturer probably received only three or four, certainly not over five or six. It is also used by planters on the Amazon, for expressing oil from cantanha nuts.

If there is a current primitive invention evincing closer and happier reasoning out of common tracks, we know not where to look for it. Nor is that all; fabricated before metals or tools were known, Indians still bring it out of the woods with little but their hands to produce it. Were it proposed to compare the amount of originality and ingenuity in two aboriginal devices, representing the eastern and western hemispheres, I would select the Tepiti. Confront it with the analogous original one of the old world, the wine-press common throughout Egypt in her highest estate: a sack filled with grapes and twisted in contrary directions as washerwomen wring out wet linen. A stick was thrust through or attached to each end. They were turned by four men, two at each stick. Had the Tepiti ever been known there, it would most likely have been found figured with the foregoing at Thebes or Beni Hassan, and at Herculaneum or Pompeii with screw and wedge presses of the Romans.



The capacity of the basket decreasing as the length increases may not be instantly obvious to every one. Without reflection, it might be supposed that extension in one direction would compensate for diminution in the other, that if elongation reduced the diminution one-half and at the same time doubled the length, the capacity would be little affected. The action and effect are, however, perceived by supposing the instrument made of a highly elastic material—india rubber, for example. It might then be stretched till the sides came together and formed a solid thread.

I am told the difference between a low and wide measure and a high and narrow one is not unknown, among others, to proprietors of drinking-saloons, as appears from the substitution of tall and tapered glasses for old Dutch-bottomed ones, over which they soar, that the change is a literal deduction from and a profitable application of the principle by which the cassava pulp is squeezed in the Tepiti. Admitting this, it is but one of a thousand interesting instances of physical principles little known creeping almost imperceptibly into extended use. It shows how pecuniary interest makes men of different professions active, though unconscious, promoters and elucidators of them. It is the working of the same beneficent law which in the natural world "from seeming evil still educes good." Thus, cupidity, awake to new chemical and mechanical facts, and alert in applying them to every purpose that promises to pay, is an efficient diffuser of useful knowledge. Like the rapacious instinct in some of the lower tribes, it contributes to the general good, and, as with them too, its eagerness occasionally leads to disappointment and loss.

## VII.—CORRESPONDENCE OF CAPTAIN WILLIAM BEATTY, OF THE MARYLAND LINE. 1776-1781.

[From the original Manuscripts in the Library of the Maryland Historical Society.]

### 1.—CAPTAIN BEATTY TO HIS PARENTS.

CAMP NEAR KINGS BRIDGE September 18<sup>th</sup> 1776  
HONOURED FATHER AND MOTHER

as it Was your desire that I should Write to you every opportunity that I Could and to tell you How things Went With us I have Endeavoured now to let you Know how I and Henry are Which I hope Will give you Satisfaction to hear that We both are in good Health and I hope these few lines may Find you and all the Family

in the Same, and Like Wise all Enquiring Friends and Relations I Wrote to you from New York by Elijah Beatty Which I hope you have received by this time, it Would make me Very glad if I Could receive a letter from you that I Could Know how you and the Family are and if you and John Beattys had Settled that affair between you, I have Something Worth telling you of What happined this Week Last Sunday the Enemy landed about three Miles below us and at the Sight of about 150 of them One Brigade and a half of New England Troops ran away in the Most Precipitae'd Manner and Chiet of them Lost their Baggage, if they had Stood their Ground they Might have Cut them off But by their landing they Surrounded Many of our Troops in York Which had no time to get out But they have a Strong fort Near York Were they are and Have three Months provision and ammunition a plenty and the Commander declares that he Will not Surrender While he has either, On Monday Last the Enemy thought to Drive Our Troops farther Sailed out and Were attact By Major Mantz With the three Rifle Companys of our Battalion under his Command and Major price With three of the Independant Companys of Maryland Troops and three other Companys of Maryland Flying Camp and a Battalion of Virginians and Some Northern Troops the attact Was Very Sharp on Both sides for One hour and a half and then the Enemy Retreated One Mile and a half to their lines in all the action We Lost but about 20 Men Killed and about as Many Wounded among the Dead is One Colonel of the Northern Troops The Men all behaved With Much Bravery In Capt Goods Company there Was but two men Wounded Capt Reynolds One Capt Grooh two one of Which is the blind Cuppers Son in Fredktown, The other lernt the hatters Trade With Major Price his Wound is in the Breast the other On the back of his arm above the joint of his Wrist and so down to his fingers the Bone is not Broke Our Company Lay out from Our Tents from Sunday Morning till tuesday Night Bill Witnell and his Child is both dead four of our Men Deserted from us in Philadelphia One of Which is Thomas Henissee and One got Drowned Coming from New York to this place I have no More to tell you at present but that you Would Write the first opertunity

I am Sir Your Most Obedient

Son W BEATTY JNR

[ADDRESSED] Col. W<sup>m</sup> Beatty  
living in

Frederick County  
Maryland, near  
Frederick Town

## 2.—CAPTAIN BEATTY TO HIS FATHER.

SKIPACK BUCKS COUNTY Monday  
October 6<sup>th</sup> 1777

## HONNOURED FATHER

I Embrace this Opertunity of informing you of the late Engagement that happened On Saturday last near Germantown On Fryday last the army Was Ordered to March about Dusk towards Philadelphia and Reached Chesnut Hill about Day break next morning at Which time Our advance Guard attacked the Enemys Piquet and Drove them after Which Our Division fell on the left flank of the Enemy and Drove them near two Miles at Which time they Received a Strong Reinforcement Which forced us to retreat Which Was done in Very good Order there Was about 4000 of Our Side Engaged Which began about Sun rise and lasted till 9. O,Clock, I Cannot pretend to tell the Loss on Either Side Except Our own Regiment Which had four Men Killed and 28 Wounded and four Officers Wounded I was in the action the Whole time and in the hottest of the fire, I Received a Dead Ball On my thigh the Very first fire the Enemy made. But did me no harm Only made the place a little Red, I Know no Body fell Except Unkle Michael and he fell Dead on the Spot, Capt Naff Received a flesh Wound On the thigh but is like to do Well I Expect We Shall Soon have another touch With them Which Will Soon lessen their numbers the Morning Was Very foggy Which Was Greatly to Our Disadvantage and the Cause of the Engagement ending So Soon, I am Well at present and I hope this Will find you and all the family Like wise

I Remain With Respect your  
Most obedient Son  
W<sup>m</sup> BEATTY

## 3.—CAPTAIN BEATTY TO HIS FATHER.

SKIPACK October 13<sup>th</sup> 1777

## HONOURD FATHER

I Received yours of the 24<sup>th</sup> of last month in Which you inform me of your health and of all the Familys Which gives me Great Satisfaction, you likewise inform'd me of Your not Receiving a letter from me Since I rote from Hanover in the Jersey but I beg to be excused and am not to blame for I rote a Second letter from that place just Before I Went On Staten Island and Since that time We Have never laid One Week at One place but Continually marching, the particulars of Statten Island and Brande Wine as far as lays in my power I have Sent by Dr Thomas Except a Return that Was taken at Germantown Battle Which gives an ac-

count that the Enemys loss at Brande Wine Was 1976 Killed and Wounded Since I Wrote to you Concerning the Battle of Germantown it is reported by the best authority that the Enemys loss is 2000 Killed and Wounded beside the loss of two Generals Killed and two Wounded the Killed are Kniphausen and Grant, Egners and Erskine Wounded Mortally Our Success to the Northward Still Continues Except the loss of Fort Mountgomery Which Was taken by Storm by a body of the Enemy that landed at Dobsons ferry on the North River, There has been a Smart Cannonading this three days past at the fort On Delaware and it is reported that the Enemy Were Building a Battery On Province Island But Our fire Was So heavy the Enemy Were forced to Strike and Surrender them Selves Prisoners at that place Were taken 3 Brass Twelve pounders, 1 Capt of the artillery and Six Men 50 of the light Infantry and Officers accordingly, it is Daily Expected that We Shall have the other tryal for Philadelphia Our army are in high Spirits and Wait With impatience for the other Brush — I have no More at present Only that I am in Verry good health and in high Spirits I hope this may find you and all the family in health, I Remain With Respect and Obedience your Dutiful Son,

W BEATTY,

N B

the Breeches I hope you Will procure for I Want them Verry Bad

[ADDRESSED] Co<sup>l</sup>. W<sup>m</sup>. BEATTY  
Fred<sup>k</sup>. County

Pr. favour<sup>d</sup>. Maryland  
by Symm

## 4.—CAPTAIN BEATTY TO HIS FATHER.

ENGLISH TOWNSHIP June 30<sup>th</sup> 1778

## HONNOURED FATHER

I With Pleasure take this Opertunity to inform you that I am in health Hoping this Will find you and the Family in the Same State the Day before yesterday Was our Glorious Day, for after an action of Six hours Our Troops made the Enemy leave the Field With about 300 Dead besides 40 Wounded that they could not carry off there Was 1 Captain and 3 Subalterns among the number and Col Monckton Killed With a number of Other officers of the Enemy Our loss is not Supposed to be More than 100 Killed and Wounded Capt Bayly By Whom this Comes Will be able to inform you the particulars of that Days action for he Was in the Heat of it, Our Division form'd the rear line Which Was Not Engaged at all, I am Verry Sorry that I Could not See you When

you Was at Wilmington for I am informed You Was Verry Uneasy on account of Some Scandalous Reports Raised to injure my Carrachter but thank God I Hope that I Can produce Recommendations in the regt that Will make every Raskal hang his head that Ever attempted to injure Me, I hope you Will not make yourself uneasy On that account for I Defy any Scandalous Reports that they Can Make, I have no time to Continue at Present but the next Opertunity I Will indeavour to let you Know how things Stand With respect to Myself, I now Conclude With remaining your most obedient Son

W BEATTY

[ADDRESSED] Col. W<sup>m</sup>. BEATTY  
 favored by { Maryland  
 Capt. Bayly. {

#### 5.—CAPTAIN BEATTY TO HIS FATHER.

CAMP GUILDFORD COURT HOUSE, Febyry 8<sup>th</sup> 81.

HONOURED FATHER

The last time I Wrote You Was from Hicks Creek Which place We March'd from With the troops that lay there On the 29<sup>th</sup> of last Month this Move of Ours Was in Consequence of the Enemies moving Up the Kataba River Which they Cross'd the first instant and Made a Quick March by Salisbury to Sloinsford On the Yadkin Where they have lain ever Since till Yesterday When they Moved higher up the Yadkin & by Some reported to have Cross'd Or about Crossing, The Situation of Our army When We left Hicks Creek being much divided Obliged us to Make a very rapid March to form a Junction With Our light troops under Genl Morgan Who at this time Were retiring before the Enemy—this day the Whole of Our Continental troops Will be assembled at this place, Our Continuance here Will entirely depend On the Movements of the Enemy, as to the Strength of the Enemy I dont immagin it to be much above 2000 regulars Which to the Shame of the States be it Said are too many for us to Engage Without Some Providential advantage—Genl Sumter With a body of Militia tis Said are in the rear of the Enemy disturbing their rear daily Col Campbell, Shelby & others from up Wards are expected With some rifle men—Should We Engage the Enemy & obtain a Victory I am fully of opinion they Will not be able to Make a retreat for all our friends in these States are ready to take the advantage of Our Success, Just before We March'd from Hicks Creek Col Lee With his Legion took George Town, Commanded by Lt. Col Campbell Who is prisoner, Campbells Major Was Killed as to other particulars I am unacquainted With them, I hope the next time You hear from me Will be after We

have expell'd Our Enemies untill Which time I Continue your most dutifull & obidient Son

W. H. BEATT

N B all our heavy Baggage  
 is Sent to Hillsborough

[ADDRESSED] Mr. Luckett will be pleased  
 to forward this to Fredk Town by  
 the first opportunity.  
 Feb. 8<sup>th</sup>. 81.

Col. W<sup>m</sup> BEATTY  
 Fredk County  
 Maryland.

#### 6.—CAPTAIN BEATTY TO HIS FATHER.

CAMP BUFFALO CREEK, 10 Miles from Guildford  
 Court House 3<sup>d</sup> March 81

HONNOURED SIR

about the 8<sup>th</sup> of last Month While on our retreat to Virginia I Wrote you from Guildford Ct House. Our army the 10<sup>th</sup> following left that place & On the 14<sup>th</sup> Crossed Boyds & Irvins ferries On Dan river the Enemy pursuing us Closely all this Way Our retreat Was Covered by Col Lee's Legion, Whites & Washington's Horse, five Companys of Light Infantry & Some Rifle Men, Militia the Whole Was Commanded by Col Williams Who Was appointed to that Command Genl Morgan being Sick absent Notwithstanding the Enemies Superior Strength & the Close pursuit they gave us Our Retreat Was So Well Conducted that We lost nothing in it but Some extent of Settlement Which if it Was not for the effect it Might have in the general Cause & On Some Individuals it had Much better be in the possession of a British Tyrant than in that of a free & Independant State for Certain I am that above three fourths of the people Where the British has been in this State are the greatest Villians On Earth, therefore a tyrant ruler Would become them better than an Independant Government, The day after We retreated from Guildford the Enemies advance being So near Our light troops Rear that Col Lee found an abuscade With Some of his Horse & entirely two officers & 22 Men He killed a Lt & 14 Men & took a Capt & 8, all belonging to Tarletons Horse besides those Many other prisoners have been taken While they lay in Hillsborough Where they March'd to after We had Cross'd the Dan, they had a Piquet Cut off Consisting of an officer & between 20 & 30 Men, Yesterday Was brought into Our Camp prisoners a Lt Col of new levies & a Lt of the 23<sup>d</sup> Regt the Cols name is fields he Was a prisoner in Fredrick When the n, c, tories Where there, after Our army had Cross'd Dan We Cross'd another Small river Called Banister



about Seven Miles from the former & March'd as far as Virginia as Halifax Court House Which is about Six Miles north of Banister at this place We lay Untill the 20<sup>th</sup> of Febr'y on Which day We began to return to n. e, by the Same Way We left it ever Since Which time We have been manuvering the night before last We lay all night & all day Yesterday Within 10 Miles of the Whole British army they Have left Hillsborough & lay at that time on the ground Where the Battle Was fought between Govenor Tryon & the n, e, Regulators in the year 70 We lay on the road leading from Hillsborough to Guildford Ct House about 15 Miles from the latter, last night We mov'd to this place Which is north of the road We lay in Yesterday & it is reported the Enemy have mov'd across roads 22 Miles South of Guildford. Our light troops Who have been Considerably Strengthened by Militia & Riflemen from Virginia & this State are Some Where between us and the Enemy Yesterday there happened a Skirmish between Some of ours & the British Parties there Was nothing Material but a few Wounded On each Side, Lees Legion & Some Rifleman the parties Conversd on our Side, Our army has been Considerably Reinforced by the Militia of this State & Virginia We expect daily to be join'd by 1000 Back Woods Rifle Men under Col Campbell When he joins it is generally thought that We Shall press the Enemy early & perhaps bring on a general Engagement Which I think they Will try to avoid untill they Recross the Yadkin Which Seems to be their intention by the Rout they March, We have reports in Camp that Genl Sumter & Marion are Driving all before them in S Carolina that Lord Rawden March'd from Camden With about 4 or 500 Men to join Lord Cornwallis in this State So Soon as the former left Camden tis Said Sumter took it, it being garrisoned by none but Invalids & a few new levies—On the 25<sup>th</sup> of last month Col Lee being informed of about 300 Tories Who Were assembled about 25 Miles from Hillsborough On the road leading to Guildford to Join the British he March'd & fell in With them in the Evening & Killed about 200 few of the others Escaped Without a Wound, ~I have never received a line from You Since I left home Should be extremely glad to hear how You & all the family are also how the State of Maryland Comes on in raising recruits to Compleat their Regiments, I Wish With all my heart the States in general Would exert themselves in that particular I am Sure We Want nothing but a few Expell the Enemy from our Country I wrote by Lt Price for Some articles they will be Sent for I am in the greatest Want of them & there is not a possibility of getting them here Please to remember my best respects to all the Family Who I hope With Yourself are all in per-

fect Health I have been in a Very good State of Health ever Since I left Home, Believe me Sir to be With the Sincerest respect your most  
obt & Dutiful Son

W. BEATTY

[ADDRESSED] Col. W<sup>m</sup> BEATTY  
Fredk County  
Maryland

favoured  
by Mr WILHERN

#### VIII.—ANNE HUTCHINSON—A REMARK- ABLE WOMAN.

READ BEFORE THE NEW YORK HISTORICAL SOCIETY, FEBRUARY 5, 1867; AND BEFORE THE LONG ISLAND HISTORICAL SOCIETY, FEBRUARY 21, 1867.

BY EUGENE LAWRENCE, ESQR.

It is sometimes said that the beautiful landscapes that surround us, in our native land, are wanting in those historical associations that redouble the charms of the older continent; that our wonderful rivers flow onward in their grandeur, uninspired by graceful recollections; that no halo of legendary glory crowns our mountain chains; and that our fertile fields are only memorable as the source of material prosperity. But this, I think, is an error. The historical enquirer, who wanders along the streams and valleys of his native land, will scarcely find a spot, however secluded, that does not possess some touching legend or stirring tale connected with its early history; he will find everywhere new traits of interest to reward his careful researches, will be struck by the abundance of historical material existing in the most commonplace and unpromising scenes, and must often lament that, as time passes away, so many of these local traditions will be neglected and forgotten.

The narrative which I shall have the honor of reading before you this evening is well known in the annals of Massachusetts; but its final catastrophe took place in our neighboring county, Westchester; and it has become, therefore, a part of the local history of New-York. It abounds, too, in details suggestive of the manners of an early period; it was, in fact, a theological tragedy, whose various scenes occurred in Boston, Rhode Island, and Westchester, and lead us back by an easy association into the first settlements of our ancestors amid the unbroken wilderness.

A few miles from Harlem, in the township of Pelham, there runs a narrow stream, not more than four or five feet in width, called "Hutchinson's River." The term "river" seems quite

inappropriate to so small a rivulet; but the name has been preserved from the earliest maps of the country, and seems to indicate that some remarkable event connected with its history had given to this little stream an importance beyond its natural desert.

Tradition, in fact, asserts that a woman of rare mental powers and singular elevation of purpose wandered away from the more civilized settlements to the eastward, made a home for herself and her young children by the side of Hutchinson's river, and there met with a cruel death from the savages, who still possessed the wilderness beyond the borders of New Amsterdam. It was about the year 1642, more than two centuries ago, when this event occurred. The border country between Connecticut and New Netherland was then scarcely explored. No towns nor villages broke the desolate scene along the shores of Long Island Sound; and when Anne Hutchinson raised her rude cottage by the river that bears her name, she was far from human help, and trusted, no doubt, to the Divine Protection alone.

She must long, indeed, have relied upon no other power; for among men she had met only bitter persecution and constant injustice. Spotless in character, generous in disposition, wise, forbearing, tender-hearted, and learned in the polemic literature of her time, this remarkable woman met with a fate unparalleled in the history of her sex. In search of religious freedom, she fled from England to the colony of Massachusetts Bay; from thence she was driven by the ruling theocracy, and took refuge in Rhode Island. But even there she feared for her safety; and at length, leaving the English settlements, sought protection from the tolerant Dutch. She came to New Netherland; but fearful, perhaps, that the hand of the persecutor might reach her even there, she hid herself in the solitude around what is now New Rochelle; and here falling an easy victim to the savages, who were at war with the Dutch, was burned to death in her cottage, together with her children.

I purpose to review the mental history of this gifted woman, who died as she had lived, a sincere searcher after truth. Anne Hutchinson had so delicate a spiritual organization that the future world was ever more real to her than the present. A constant sense of the presence of the Deity made her indifferent to the praise or blame of man. Wealth, luxury and ease had for her no charm. She lived in the universe, rather than in the world. She associated through life with the immortal spirits more than with the coarse and cruel tenants of the earth; the common joys of life, domestic ease, refined society, and material splendor, she cast aside with disdain. Truth was fairer to her than diamonds, and liberty of speech and thought than luxurious chambers and downy

rest. So long as she was near Heaven, she cared little upon what portion of the earth she was forced to dwell. A wilderness, with freedom to worship God, was sweeter to her than the fairest landscapes of England, and the lonely hut by Hutchinson's river was her palace and her temple rather than the comfortable dwelling she possessed in Massachusetts Bay. I confess I have never passed the little stream at Pelham without dropping a tear over the fate of Anne Hutchinson, and sometimes striving to form a faint conception of that unbending spirit which there left forever the companionship of its unworthy race on earth.\*

But let us endeavor to revive for a moment the landscape amid which this important mental tragedy was enacted. In the year 1636, the coast line from Boston to New York was almost an unbroken solitude. Plymouth Colony, projecting into the lonely ocean, had maintained, under the vigorous guardianship of Governor Bradford, a doubtful existence. But no other refuge of civilized man appeared to the mariner along those desolate shores, until he reached the scattered settlements and plantations of Rhode Island. A few feeble colonies occupied Connecticut. New York was represented by a cluster of huts gathered around the fort, at the extremity of Manhattan Island. The brown savage, wandering beneath his woodland coverts, looked with jealous and malignant eyes upon the ill-defended settlements of the white man; and the colonists themselves, famine-stricken and often terrified at their own isolation, were weighed down by imaginary terrors, and lived as if in a horrible dream. Never had theological controversy a less favorable resting-place, and one might well suppose that in such a solitude, and amid such pressing dangers, doctrinal differences would have been forgotten, and universal charity and brotherhood have ruled the hearts of men.

Boston itself, when Anne Hutchinson entered it, in 1636, was composed of a few wooden houses and a larger number of tents for newly arrived emigrants. Mr. Coddington's brick house, the first of its kind in the town, was just built. The streets of the city were then only crooked lanes, the Common was a public pasture, and Boston, although the seat of government, was inferior in wealth and importance to the other colonial towns.

The government of the Colony was at this time a pure theocracy.† The Church controlled the State.‡ Church members alone had a vote at the General Court; and to be admitted a

\* See T. Shepherd's *Lamentation*, Samuel Gorton, Hubbard, Callender, Backus, Savage, Knowles.

† Palfrey, i., 344, 345; *Mass. Col. Rec.*, i., 87.

‡ Four General Courts were held every year—Winthrop, i., 132—three of them being by deputies.



church member was a privilege dealt out with singular caution. No heretic, skeptic, or adherent of a different creed, could become a citizen of Massachusetts Bay. To the early Puritan, the Church was an object of pure and undivided allegiance. The Puritan spoke as constantly of the Church as the strongest Papist or Prelatist. "I profess myself an obedient son of the Church," said the erratic Governor Henry Vane.\* Even the despotic Winthrop trembled, confessed his errors, and hastened to make amendment when he found himself exposed to the animadversions of the ministry; and if these eminent men were so powerless before the censures of the Puritan Church, we may well conceive how strong must have been its influence over the lower orders of the community. Feared at home, the Church was terrible even in Plymouth Colony, and in the distant plantations of Rhode Island; it hunted poor Anne Hutchinson beyond the limits of the English pale.

One other power was even still more terrible to the early Puritan, and that was Satan. The Puritan believed that the New World was the peculiar abode of the Prince of Darkness, and he had come thither expecting to hold constant conflicts with the great enemy of mankind. Of his personality he never doubted. Satan appeared to him in horrible shapes, in the gloomy wilderness and the stormy seas; and the wild people of the forest were supposed to be his imps and his offspring. The Puritan attributed all his trials to the direct interposition of his active foe. If a congregation grew dissatisfied with their minister, it was Satan that had stirred up the discord.† To Satan the solid Winthrop attributes most of the disorders of his time. The gravest divines of the period united in asserting the actual presence of the demon in the heretic or the witch, and the natural deduction from their preaching was that there were but two controlling influences in the world—the Church and its restless foe.

A very important consequence resulted from this conviction. Those who opposed the Church must be the instruments of Satan, and those whom the Church condemned were necessarily ranked among the lost. It was before this logical deduction that Winthrop and Vane trembled and obeyed. Nor do I remember in history a more perfect theocracy than was the government of Massachusetts Bay in the Seventeenth Century. The Puritan priest possessed a power not surpassed by the Etruscan diviner, or the Roman Pontifex, and far greater than was ever claimed by the oracles of Delphi or of Cumæ.

The Puritan, too, was aristocratic in his taste. He loved old names and high lineage, provided

their possessor shared his own religious convictions. When young Henry Vane, son of the Controller of the King's household, came out to Massachusetts Bay in 1635, he was received by the people with singular favor. He was a convert of high rank. His genius was bold and erratic, and he was at once admitted to the Church membership, and soon supplanted the grave Winthrop and the severe Dudley in the popular regard. At the next election (1636), Winthrop was set aside, and Vane, then only twenty-four years of age, made Governor; and thus a young man of little experience, and recommended chiefly by his high connection in England, was placed in charge of the destiny of the new colony.

In the same year a ship was sailing over the ocean to Massachusetts Bay, laden with a peculiar freight; it was filled with a company of Puritan pilgrims, hastening to seek freedom of prophesying in the New World. The Pilgrims relieved the monotony of the sea-voyage by discussing the various points of religious doctrine. But no good feeling resulted from these discussions. Sharp controversies arose among them, and at length a lasting hostility between the two chief disputants, one of whom was the Rev. Mr. Symmes, the other Mrs. Anne Hutchinson.

Narrow-minded, overbearing, and vindictive, Symmes was evidently no match in argument for his gifted opponent; but her peculiar opinions filled him with horror and affright. Mrs. Hutchinson advocated a more perfect liberty of prophesying than the dull intellect of the English Puritans had yet ventured to entertain. She contended for complete freedom of thought and speech. Each mind was to be a law to itself; the true believer was in constant communion with his Divine Head; the Holy Spirit dwelt within him; the believer was greater than the Church. Anne's vigorous defence of her peculiar opinions made Symmes her enemy for life. No sooner had he landed than he denounced her to the Governor as a heretic and a prophetess; and Symmes was ever afterwards the most relentless of her persecutors.

Mrs. Anne Hutchinson was born, or at least lived in early life, at Alford, near Boston, in England. Her father's name was Marbury. Her mother was the sister of Sir Erasmus Dryden; and she was therefore related in the collateral line to two of England's most eminent intellects. John Dryden, the poet, who was himself accused of having been an Anabaptist in his youth, was Mrs. Hutchinson's second cousin. Jonathan Swift was more distantly related to her. And thus from the Drydens of Canons Ashley descended one of the greatest of England's poets, the purest of her prose writers, and one of the most remarkable of her women.

\* Winthrop, i., 208.

† Winthrop, i., 127.



Anne's husband, Mr. Hutchinson, was a mild, amiable and estimable man, possessed of a considerable fortune, and in high standing among his Puritan contemporaries. For his wife he entertained an unchanging affection, which she seems to have perfectly deserved. Never, in fact, was there a more united pair. Both exiled themselves from England together and sought the bleak shores of Massachusetts Bay. Together they abandoned their Eden of wealth and ease in Lincolnshire, to find God and heaven amid the wilderness. Together they bore the unlooked-for calamities that fell upon them in their New England home. No afflictions could part them; no persecution won them from each other. They bravely bore their common misfortunes, and lived and died in undivided unity.

The Hutchinsons, upon their arrival, were received by the Puritans with unusual favor. Mr. Cotton, the favorite preacher of the Colony, was their old friend, and everywhere extolled them. Mr. Coddington, one of the richest men among the Puritans, became their chief supporter. Dummer, Underhill, Morris, and many others of influence, were numbered among their friends. Vane, the young and ardent Governor, sought their intimacy; and very soon the remarkable gifts and graces of Mrs. Hutchinson gave her a power over the people of Boston such as no other woman has ever possessed.

She threw a spell over the whole town.\* Scarcely had she landed before she began to teach. Every week she gathered around her in her comfortable dwelling a congregation of fifty or eighty women, and urged them to repentance and good deeds. "All the faithful," says Cotton, "embraced her conferences and blessed God for 'her fruitful discourse.'†" Soon her meetings were held twice a week; a religious revival swept over the Colony. All through the year 1636 an unusual fervor of devotion stirred the hearts of the Bostonians. Even men of eminence sought her house for religious instruction; but these must content themselves with mere conversation, for when men attended her meetings, the proceedings were conducted by the clergy. Anne was careful not to offend against the decorum of the Church, and would consent only to address her own sex.

To these exhortations Mrs. Hutchinson joined extensive charities and unceasing benefactions. She watched with the sick, aided the poor, breathed hope to the dying and cheered the bed of pain.‡ Her life was as spotless as her doctrines; she was an example of the purity she taught. The faithful looked upon her with wonder, delight,

and love. An angel seemed to have descended among them; a spotless spirit was once more found upon earth.

Yet this was the woman whom the bitter Welde called "an American Jezebel," whom even the cautious Winthrop believed to be a minister and perhaps familiar of Satan; whom the grave Puritans resolved to destroy, and whom they treated with a persevering barbarity not surpassed by a Spanish inquisitor.

It was a question in theology that roused up the rancor of the Church against this helpless woman; a point so nice and finely drawn that the modern intellect passes it by in disdain; a difference so faint that one can scarcely represent it in words. Mrs. Hutchinson taught that the Holy Spirit was a person and was united with the believer; the Church that the Spirit descended upon man not as a person. Mrs. Hutchinson taught that justification came from faith, and not from works; the Church scarcely ventured to define its own doctrine, but contented itself with vague declamation; and on these two distinctions the religious warfare began.

The people of Boston adopted generally the views of Mrs. Hutchinson. Cotton, the gifted preacher, lent her his countenance; Coddington, the rich magistrate, sustained her; Vane, brilliant and daring, adopted her most extreme views; and the gallant old campaigner, Capt. Underhill, professed to hold to the Covenant of Grace. A fierce controversy soon arose, and all through the infant Colony nothing was talked of but the nice and difficult points of religious doctrine. For the moment the Hutchinsonians ruled triumphant.\* They reproached their opponents as defenders of a "Covenant of Works," they criticised their sermons, mocked at their theology, and fired "pistol-shots" of sharp satire, as Welde calls them, at the gravest divines. It was the fashion in Boston to denounce the "Covenant of Works." The very children echoed the controversy, and talked of the Covenant of Works and the Covenant of Grace; and thus the year 1636 passed away.

Against the Hutchinsonians, however, was ranked a powerful and vindictive party. At its head stood Winthrop, the master-spirit of the Colony. Grave, stern, reasonable—except upon religious topics—a man of intelligence and reading, but chiefly self-educated, a rich and patriotic citizen, a narrow but vigorous intellect, Winthrop had seen, not without secret indignation, his former power torn from him, and young Henry Vane raised to the chief place in the government of the Colony. The Puritans were not without ambition; pride had never been expelled from their breasts. They loved high of-

\* The whole church of Boston, a few members excepted, were her converts. Hutchinson, *Hist. of Mass.*, ii., 63.

† Cotton, *Way of the Congregational Church cleared*, London 1648, 51.

‡ Cotton, *Way of the Congregational Church cleared*, 51.

\* Winthrop, i., 206.

fice and the magistrates' seats; and Winthrop, the proudest of them all, was now condemned to take rank below a young man of twenty-four, in the eyes of all his countrymen. Vane and Winthrop, therefore, were rivals, and perhaps enemies: but Winthrop concealed this sentiment under a dignified calmness, while Vane exhibited his animosity with all the petulance of youth. He took frequent opportunities to insult openly his political and theological opponent.

Winthrop had no doubt resolved to destroy the Hutchinsonians. Their doctrines he looked upon as fearful heresies, fatal to the good name of Puritanism; their political influence he justly feared, since it must finally subvert the theocracy and introduce a general license; and Winthrop stood, therefore, with his usual firmness, at the front of their opponents.\*

But Winthrop, who was a dignified and well-bred man, would never have proceeded to extreme measures of cruelty unless he had been urged on by the ministry. It was Welde and Wilson, Symmes and Peters, who began and continued the persecution of Mrs. Hutchinson. The clergy, indeed, were united against her. She had deserved their bitterest enmity. Her acute intellect and bold and ready wit had already won away from them the allegiance of the Bostonians, and that powerful town was in revolt against the Church; their despotism was in danger. If Anne Hutchinson remained in the Colony, her followers would soon control the congregations and remove from high seats those spiritual despots who now ruled without appeal. The Hutchinsonians, indeed, had already nearly unseated the Rev. Mr. Wilson, the pastor of the first congregation in Boston, and placed Mr. Wheelwright, Anne's relation, in his pulpit; the people were fast becoming corrupted; the Church was rent in two, and the clergy saw that the moment had come when they must strike down their opponents, or lose their power forever.

The country, however, still remained under their control. If Boston had revolted, Salem, Roxbury, Newtown, and the rural settlements, sustained the Church. The General Court was wholly governed by the clergy, and with its aid they resolved to crush the Hutchinsonians, and reduce heretical Boston to subjection.

They aimed their first blow at Wheelwright, the popular preacher of the new doctrines. Wheelwright was summoned before the General Court,† censured, and found guilty of sedition and contempt, notwithstanding the vigorous opposition of Governor Vane and a well-written "Remonstrance," signed by the chief citizens of Boston.

The clergy, elated by their success, next resolved to remove Vane himself from office. Hugh Peters had already openly insulted him. He told Vane that before his coming the Church had been at peace, bade him reflect upon his own youth and short experience, and told him that pride and idleness were the true causes of the new opinions.\* The spirit of Peters animated all the clergy. A violent political dispute arose between the Bostonians, who supported Vane, and the country party who were led by the ministry. Afraid of violence in Boston, the clergy held the next General Court at Newtown;‡ and here, after a disorderly election, in which even blows were exchanged,§ Vane was defeated, and Winthrop once more made Governor. The Bostonians saw in this success of their opponents their own danger; exile, imprisonment, or even death threatened their most eminent citizens. Vane himself could no longer hope to live at ease among his enemies. Coddington, Dummer, and their associates were exposed to immediate danger. Even the popular Mr. Cotton was no more safe from exile or imprisonment. But for Mrs. Hutchinson the bitterest persecution would be reserved; and Welde and Symmes were already denouncing her as a heretic, if not a witch.¶

When, therefore, the new Governor, Winthrop, the leader of the persecutors, made his entry into Boston, its hostile population received him with gloomy contempt.§ No shouts of welcome greeted the former favorite. The city refused to provide him with the usual guard of honor; violence was threatened; a sedition might at any moment arise; and Winthrop withdrew to his house in alarm, uncertain whether he might not be driven by force from his hostile capital.||

Anne Hutchinson, meanwhile—the busy intellect that had created this strange excitement—was still wrapt in her religious fervor. She still continued her meetings twice a week. Her teachings were still sought after by eager crowds, and as the storm darkened around her, she no doubt grew more earnest and effective than ever before. The head of a powerful religious sect, the chief priestess of Boston, the defender of civil and religious liberty, her mental vigor rose with the danger, and inspired her followers with a courage that led them still to hope for triumph.

It was, in fact, a solemn season for the infant Colony. The Pequot war was raging along its borders, and horrible massacres had frequently occurred. Its very existence seemed at stake;

\* Winthrop, i., 209.

† May 17, 1637.

‡ "Laying on of hands," says Winthrop, i., 220. Vane, Coddington, and all the Hutchinsonians were left out of the magistracy.

§ Winthrop, Hist., i., 220.

|| Winthrop, Hist., i., 220.

\*Jan. 29, 1637, N. S., a fast was appointed for the Pequot War and the religious dissensions.

† March 9, 1637.



while the religious controversy divided its defenders into two hostile parties, almost ready to rise in arms against each other. Among the military men, several of the most eminent were Hutchinsonians. Captain Underhill, one of the chief leaders in the Pequot war, was an open advocate of the new doctrines. His Lieutenant, Morris, was also a convert, and many of the soldiers shared the opinions of their leaders. If these men chose to turn their arms against Winthrop and the Church, there seemed little hope that the Colony could be saved; and the Pequot or the Narragansett might once more rule over the desolate sites of Roxbury and Boston.

The Bostonians were apparently determined in their rebellion. They condemned all persecution for religious opinions. They had sent in their famous "Remonstrance" against the condemnation of Wheelwright, and they still sustained him when he defied the authority of the Church; and when Wilson, Wheelwright's opponent, was appointed Chaplain to the forces sent out against the Pequots, none of the leading citizens would go with him, or even bid him farewell. Boston submitted gloomily to religious tyranny, and would do no honors to its Puritan defenders.

But the Church was equally resolute: the hostile city must be subdued. The clergy met in the famous Synod of Cambridge, on the thirtieth of August, 1637, and here were gathered all the spiritual rulers of the Colony. The object of the Synod, the first held in the New World, was to determine the true doctrines of the Church, and to discover and denounce the errors of the Hutchinsonians. Of the latter, a number sufficiently alarming was soon found. Eighty-two heresies were defined and condemned. From doctrines, the Synod proceeded to assail persons. Cotton was admonished, and escaped by humbly explaining away his errors. Wheelwright, more obstinate, was condemned to imprisonment and exile. Mrs. Hutchinson's meetings were declared disorderly, and forbidden; and the Pequot war having ended in success, the Synod appointed a day of thanksgiving, and separated, rejoicing in its double victory over the heretics and the savages.

In the mean time, the Hutchinsonians had lost their chief protector, Henry Vane, who had gone to England, on the third of August, together with his friend, Lord Ley. England, indeed, was at this moment in need of all her worthiest sons. The great rebellion was just about to break out. In five years, all England was to be in arms. In 1640 began that general revolution which drove Charles I. to the scaffold, and made Cromwell the creator of a new era. The gifted Vane, brilliant, ardent, impulsive, returned to his home to share in the perils and triumphs of republican-

ism, saw the fall of the monarchy, and murmured under the despotism of Cromwell, was himself raised to great eminence and then imprisoned in the Tower, and at length died upon the scaffold, the victim of the treachery of the second Charles.

Vane, indeed, through all his career in England, showed constant traces of the teachings of Mrs. Hutchinson. An acute and dexterous politician, in religious matters he remained an enthusiast and an idealist to the end. He believed himself inspired. He thought that he had attained perfection, and was raised by his spiritual graces above his fellows. He was persuaded that he was ordained by the Deity to direct the consciences of men; and when he was led to execution, he never lost this conviction, but died, says Hume, in the certain assurance of eternal felicity.

In Massachusetts, meantime, the Puritan clergy openly avowed the doctrine of religious persecution. The "*Bloody Tenant*," as it was called by Roger Williams, was loudly proclaimed in the pulpits of Boston, and its terrified citizens were reminded that they lived under a despotic Church. Cotton was the defender of persecution, Roger Williams of religious freedom; and in his ingenious dialogue between "Truth and Peace," Williams unfolds the argument in favor of perfect toleration. He asserts "that 'civil magistrates have no power to control the 'soul;\* that the temporal should never be subject to the spiritual power;† that 'the soule 'killers or heretics of to-day may prove the 'soule saviors of to-morrow."‡ These principles Williams maintains with great clearness and humanity, founding his argument upon the plain tendency of the Gospel towards the law of universal charity and love.

But Cotton defended the opposite doctrine with equal vigor; he drew his arguments from the Old Testament. He urged that the Jews, the peculiar people of God, had punished idolaters with death, had spoiled their lands and desolated their cities. He entitled his reply to Williams, *The Bloody Tenant washed and made white in the blood of the Lamb*. He asserted "That it is moral equity 'that blasphemous and apostate idolaters seducing 'others to idolatry, should be put to death."§ But even Cotton was thought too tolerant by Welde and Wilson, and being suspected of heresy, very nearly fell a victim to his own doctrines and the envy of his contemporaries.¶

The "bloody tenant" of persecution, therefore, was now employed to terrify Boston into sub-

\* *The Bloody Tenant*, 143.

† *Ibid.*, 110.

‡ *The Bloody Tenant*, 55.

§ *The Way of the Congregational Churches cleared*, by Mr. John Cotton, Teacher of the Church at Boston. London, 1648. 33.



mission. Whoever spoke against the clergy was imprisoned and fined. The ferryman over the Charles river was deprived of his ferry because he was a Hutchinsonian. William Aspinwall, author of the Boston "Remonstrance," was banished. Several emigrants from England, who held Antinomian opinions, were refused admittance into the Colony, and sent back. A perfect religious despotism prevailed; Boston seemed terrified into silence, and Anne Hutchinson, alone, still defied the power of the Church, kept up her weekly meetings, and was still supported by her brave coterie of New England women, who every week threaded the crooked lanes of Boston, in storm or sunshine, towards the house of their spiritual guide.

But the departure of Vane had left Anne without a powerful friend. Welde and Symmes had resolved to effect her ruin. When Vane sailed for England, Welde exclaimed, that it was "a special providence;" he meant that it left Mrs. Hutchinson wholly in the power of her enemies. Preparations were at once made for her trial, or, rather, condemnation.

Cambridge, or Newtown, as it was at first called, was the scene of this famous trial. It was then a cluster of wooden houses surrounding a Puritan church. In our own day, Cambridge is one of the fairest of New England towns; its scholastic walks, its venerable halls, its graceful foliage, its costly villas delight the eye of the traveler. But the chief charm of Cambridge is an intellectual one; its name is associated with the renown of New England's noblest sons. In Cambridge the lute-like voice of Channing was often heard, breathing forth the tenderest strains of philanthropy and love. The Attic elegance of Everett still seems to linger over its learned seats, where his humane and temperate eloquence was so often displayed. The very dust of the academic city has been hallowed by the tread of Webster, Choate and Story; Prescott, Bancroft and Ticknor, too, are associated with its renown; while ever and anon the nightingale strains of Longfellow, or of Lowell, breaking through their silence, remind us that two of the purest and sweetest of poets hide amid the groves of Cambridge. These, and the names of many eminent and cultivated New Englanders, mark the striking contrast between the ancient and the modern town. Now radiant with literary and artistic glory, then it was the scene of a bitter persecution; now the chosen home of liberal thought, then it was the seat of a Puritan inquisition; now adorned with the renown of the leaders of progress, then it was the centre of a dark superstition which sought to confirm its power by inflicting cruel tortures upon a woman. The contrast is indeed suggestive; for which of the sharers in that memorable trial is it that has won a lasting

triumph? Not, certainly, the stern, relentless Puritans, for their mental despotism died with them. The bloody tenet of Cotton has been abandoned in disgust by his successors; the bitter reviling of Welde and the foul tales of Clarke and Symmes now awaken only indignation. But that freedom of thought for which Mrs. Hutchinson lived and died, has baffled its persecutors and become the ruling principle of the descendants of the severest Puritans.

The trial took place in November, 1637. It was autumn, and the golden glories of the dying year hung over Cambridge. The proceedings were open to all, and it is most probable that the inquisitive people of Roxbury, Charlestown, and Boston, attended its sessions with unflagging interest: the Puritan gentry, clad in their sad-colored cloths, broad ruffs, and high-crowned hats; the soldier, in buff coat and ample sword; the women, dressed in tight-fitting boddices and lofty hats; the halberdiers, with pole-axes on their shoulders; and a throng of the inferior order, clothed in coarse and homespun stuffs.

The scene was, indeed, an imposing one. All the men of eminence were gathered together in that plain building at Cambridge. The Governor, Deputy-Governor, and all the Assistants, were there; the Magistrates' seats were filled with the greatest and best of the Puritans. Winthrop, calm, decided, and never shrinking from duty, conducted the prosecution; at his side sat the severe Dudley, the renowned Endicott, Bradstreet, Nowell and Stoughton. Divided upon many other matters, they united in the work of persecution, and were resolved to crush sedition by punishing its powerful leader.

But the zeal of the civilians was as nothing compared with the fierce vindictiveness of the clergy. The ministry were all there: Wilson, of Boston, eager for revenge; the infamous Welde; the unforgiving Symmes; Hugh Peters, of Salem, bold and pitiless; and the once-loved teacher of Boston, John Cotton, now become the timid instrument of the persecutors.

Among the throng, however, were seen one or two saddened faces: Coddington, the early friend and disciple of Mrs. Hutchinson; Elder Leverett, and Deacon Coggeshall, of Boston; and some among the common people, perhaps, who had felt her benefactions, and now wept over her approaching doom.

It was into this hostile assembly that Anne was led a prisoner and a criminal. All the proceedings mark the bitter feeling that prevailed among her judges against her. Although in a condition of health that might well have awakened manly sympathy, and that even barbarians have been known to re-

spect, her enemies showed her no compassion. She was forced to stand up before the judges until she almost fell to the floor from weakness. No food was allowed her during the trial, and even the members of the court grew faint from hunger. She was allowed no counsel; no friend stood at her side; her accusers were also her judges; her feeble body and anxious mind were tormented by incessant questionings. No specific charges were prepared which she might have answered with care and forethought; no crime was alleged against her; no breath of calumny touched her reputation. But her persecutors strove, by the use of prolonged mental torture, to drive her into self-condemnation, and to extract from her a confession of her fault.

Winthrop began the prosecution by bringing against her a general charge of heresy; Anne demanded a specific charge. He then instanced her meetings, but Anne denied that they were unlawful. Winthrop soon gave over; and Dudley, rising, accused her of having said that "all the ministers, save Mr. Cotton, preached a Covenant of Works." The whole body of the ministers now joined in the accusation, and three of them swore to her guilt. Cotton interposed a few words in her favor; Coddington, Leverett and Coggeshall strove to save her; but the malice of the clergy grew more violent at this faint opposition. They charged her with falsehood, assailed her with rude reproaches, and Symmes, her ancient enemy, repeated the story of the unlucky voyage; until, at last, Anne, wearied by the ceaseless attacks of her tormentors, turned upon them with fierceness, declared that she was, indeed, in communion with her God, and reproached them all as the pitiless persecutors of the elect.

She had borne herself bravely in the midst of her foes, and showed no womanly weakness, no mental indecision nor want of ready arguments. Her clear answers to the various charges made against her are, indeed, wonderful. She had met the keenest polemics of the Church and confuted them. Her "bold and ready wit," to Welde and Winthrop, seemed almost demoniac. It was Satan, they said, that gave to Anne her uncommon mental vigor. She was condemned at once by a unanimous vote, and her punishment was indeed severe. She was to be imprisoned during the winter at the house of Joseph Welde, at Roxbury, the brother of her worst enemy, and in the spring was to be banished forever from Massachusetts Bay.

As if fearful that Boston might rise in revolt against its spiritual rulers, the General Court next resolved to disarm that rebellious settlement. A decree was passed that all the suspected should give up their arms. The most eminent citizens were deprived of their firelocks and pistols. Even Captain John Underhill was

forced to give up his sword that had done such excellent service in the Pequot war. A military tyranny was extended over Boston; and during the winter of 1637 it must have worn the aspect of a conquered town.

For Mrs. Hutchinson the winter passed heavily away. Broken in health and shut out from her usual occupations, she sank into a deep melancholy. Her enemies, the clergy, still tormented her with their visits and rude questionings; but she repelled them with her usual vigor. They renewed against her the charge of falsehood, and the records of the First Church of Boston show that she, the most truthful of women, was excommunicated for "telling a lie."

The Hutchinsonians now felt that they must fly from the military and spiritual tyranny which had been established in Boston. Wheelwright was already settled in New Hampshire. Coddington led a Colony to Rhode Island. On the twelfth of March, 1638, the General Court ordered that "shee (Mrs. Hutchinson) be gone by the last of the month; and if she be not gone before she is to be sent away without delay," etc. The Hutchinsons now sold their estate in Boston, and on the twenty-eighth of March, 1638, left that city forever.

They went to Aquidneck, or Rhode Island, and joined Coddington in his new settlement at Pocasset. Here they probably endured many hardships; and the *Glass for the People of New England* asserts that the Colonists were forced to dig caves in the ground to escape the severity of the season. The next year, Coddington led a new Colony to Newport, and William Hutchinson became the chief magistrate of Pocasset.\*

Anne, according to Winthrop, was now the master-spirit of the Colony. She addressed an admonition to the hostile church of Boston; she assumed an independent tone, and when emissaries from Massachusetts came to discuss with her her peculiar doctrines, and to spy out the weakness of her people, she met them with her usual acuteness. But fate was now urging her to her doom. Her husband died in 1642, weighed down by exile and calamity. The conduct of her enemies in Boston grew more threatening as her own power declined, and Anne felt that she must seek another resting-place. Once more her bold and enterprising spirit looked out for a new home. But whither should she go? Within the pale of the English settlements, her enemies were everywhere threatening her. With her usual resolution, she determined to emigrate to the Dutch territory, where that religious freedom she had so long sought might at last be found.

In 1642, she came to the side of Hutchinson's

\* Arnold, *Hist. of Rhode Island*, i., 133.



river, together with her family, and there founded a little colony of sixteen persons. It consisted of her own younger children, of her son-in-law, Mr. Collins, his wife and children, and a few devoted followers. The fate of the colony is lost in obscurity. It was founded at a most inauspicious moment. Governor Kieft, of New Netherland, had just then, by his inhuman and treacherous massacres, aroused the wild fury of the natives. The savages resolved to exterminate the Dutch. An army of fifteen hundred warriors swept over Long Island, and ravaged Manhattan Island to the gates of the fort at the Battery. Bloomingdale and Corlear's Hook swarmed with brown warriors, and the flames of blazing bouweries and the shrieks of dying men and women spread terror over Manhattan Island. The savage, for the moment, seemed to have recovered his old domain.

Anne Hutchinson's settlement, seated far out across the Harlem river, in the wilderness of Pelham, was soon swept away in the rapid tide of war. An Indian, it is said, came in the daytime, professing friendship, to observe the little colony. At night a band of savages attacked it, and massacred the colonists. Mrs. Hutchinson was burned to death in her cottage. All her family were killed except one of her daughters, eight years old, who was made a captive, and was afterwards given up to her friends and sent to Boston, through the kind intervention of the Dutch.

It was the custom among the Indians to take the name of the person they had killed. Wampage, the owner of the land around Pelham, was proud to call himself "Ann's Hoeck," and it is believed that he was the murderer of Anne Hutchinson. A neck of land at Pelham was also called, after her, Ann's Hoeck, and the river still bears her name. Material traces of her existence still linger around the scene of her obscure doom.

When the news of Anne's sad fate was told in Boston, her clerical enemies rejoiced over it as a new proof of her guilt. The ruling faction smiled at the recital, if never before, like Philip II. at the news of St. Bartholomew. "The Lord," said Welde, "heard our groans to heaven, and freed us from our great and sore affliction."\* Heaven, they thought, had avenged them of their sharp-tongued foe. They even invented shocking calumnies to prove that she was Satan's minister. No tales were too gross and shameless even for the wise Winthrop and the haughty Dudley; their hate pursued her to her lonely grave, and they sought to hold her up for the execration of posterity as the heaven-detested enemy of the Church.

Anne's family did not wholly die out. One of her sons had remained in Boston, and was the ancestor of Hutchinson, the Tory Governor of Massachusetts in the Revolution. A daughter, too, was married, and settled in Boston; and the blood of Anne Hutchinson still flows in the veins of several New England families.

Such, then, was Puritanism in 1642; but the death of Anne Hutchinson seems to have proved the source of its downfall. In his famous tract, *Rise, Reign and Ruin of the Antinomians*, Welde exults in the belief that the blood of Anne had sealed the triumph of his persecuting party. But how different has been the result! The "Bloody Tenant," though prevailing for many years afterwards in Massachusetts Bay, has at length given place to a liberality almost unequaled among nations. Boston has become the centre of political and religious freedom. The spirit of Williams, Vane and the Hutchinsonians rules over modern New England. Liberty of prophesying, in its fullest extent, is asserted by the modern Puritan; and the charms of literature and the elegance of artistic culture have softened, without enfeebling, the vigor of the Puritan race. Yet it should never be forgotten, as one of the chief glories of the New England metropolis, that it contended, almost at its very birth, for that freedom of speech and thought which at last it so painfully attained.

Two hundred and twenty-five years have passed since Anne Hutchinson turned her weird and sorrowful eyes westward, asking protection from the friendly Dutch. To-night we sit in judgment upon her persecutors. The cruel Welde, the shameless Symmes, the feeble Cotton, once the spiritual tyrants of Massachusetts Bay, have now sunk, beneath the indignation of posterity, into a dishonored obscurity. A cloud of infamy rests upon all those Puritan magnates who took part in the inquisitorial trial at Cambridge, or pursued with their coarse revilings the shade of an injured woman; while New England and New York unite in applauding that doctrine of universal toleration which she sacrificed her life to maintain.

Her story is full of meaning. It teaches that persecution is feeble and the persecuted strong; that harshness, violence, and force are the traits of inferior intellects; that the pure in heart, of every age, linked together in a common brotherhood, are the ruling spirits of their race; that the mild teachings of Pythagoras and Numa, of Plato and Cicero, were nearer the divine revelations of Christianity than the rack of Loyola or the bloody tenet of Cotton! It teaches, in fine, that gentleness is greatness, and that humanity is truth.

\* *Rise, Reign and Ruin*, Preface.



## IX.—THE ANTIQUITIES OF NEW YORK.

A PAPER READ BEFORE THE NEW YORK HISTORICAL SOCIETY ON THE SECOND OF MAY, AND REPEATED BEFORE THE LONG ISLAND HISTORICAL SOCIETY ON [THE EIGHTH OF JUNE, 1865.

BY GENERAL PROSPER M. WETMORE.

This subject may properly be divided into two branches—the men and the incidents of the Past. The first of these has been treated with considerable ability in the columns of a city newspaper, in a series of articles on the character and career of the men who had largely assisted in making New York the metropolis of a continent.\*

It is doubtless true that all the industrial interests had originally united in the work of building up a great city; but to the merchants of the Olden Time and their successors must be conceded the larger portion of the credit for what has been accomplished.

The Island of Manhattan, with its opulence of waters and countless accessories of lesser islands that dot the bays and sloping shores which fringe the broad estuaries, seems to have been designed by nature for a great mart of commerce; and nobly did the early residents respond to the natural advantages spread so invitingly before them.

The commercial sceptre at one time was about to be grasped by Rhode Island, Newport offering unusual advantages of access and climate. Massachusetts soon became an earnest competitor, Boston retaining the prestige of the Revolutionary era; while Virginia was not without a claim to ultimate triumph, for Jefferson founded great hopes on the Potomac and the never-freezing waters of the Chesapeake.

Finally, the mingled blood of the Puritan and the Hollander produced the elements of enterprise, resolution and persistent energy which determined the imperial question. The crown descended upon Manhattan. The character of her princely merchants became known and respected wherever the seas rolled and the winds blew. The whitened canvas shining under the Starry Flag drove their swift barks into every port that offered profitable traffic. Homeward the loaded argosies came, freighted with Europe's choicest products—lustrous silken tissues from the looms of France; glossy fabrics woven of the Saxon fleece by British hands; and generous juices

crushed from luscious grapes born of the Southern skies; ivories and gems,

“Barbaric pearl and gold,”

from Afric's burning coasts; spices and myrrh, fragrant herbs and precious jewels, undying attar of rose, the princely bridal shawl, and all the priceless treasures of the Indies.

It was fitting, therefore, that some skilful hand should paint the pen-portraits of the men who had shared in the perils, braved the vicissitudes, and won the rewards of all this golden enterprise. The premature loss, by death, of the writer who had opened this new field of letters, it is to be hoped may be supplied by others competent to continue, and more accurately to complete, the grateful task. But our purpose at this time is to discuss the second branch of the question—that which relates to the local incidents, and the visible objects, which connect the present time with the City of the Past.

The casual observer will find but few existing memorials of the early days of New-York.

Occasionally the removal of an ancient edifice attracts attention, calls for a newspaper paragraph, and so another relic of by-gone days passes forever from our sight and is forgotten.

The writer of these pages is somewhat given to searching out the few remaining landmarks which remind the present generation that the City of its Pride was not built in a day; and he proposes to share with others, who may feel an interest in the subject, the information gleaned in his desultory rambles.

It has been justly remarked that our community has little veneration for antiquity. Yet we are not wholly without missionaries in a field of grateful duty which seeks to preserve the memory of long-vanished events.

Valentine, Lossing, Dawson, and Davis—earnest, truthful, accurate and genial Davis, now resting from his labors—have won the gratitude of all true antiquarians by persistent researches among the records, traditions, and incidents of our early history. Winthrop, in his interesting reminiscences of Old New York, has pleasantly and graphically pictured to us the domestic life, habits and customs of the descendants of the Stuyvesants; while the libraries and collections of the public-spirited members of the Bradford Club are affluent in memorials of the past and lyrical treasures which our hearts “would not willingly let die.”

To present before the Society, in logical connection, the sketch of an ancient Homestead, with which this paper will conclude, it becomes necessary to reproduce a few passages which have already appeared in *Valentine's Manual*, under the title of

\* The writer probably referred to the series of papers in *The New York Leader*, on “The Old Merchants of New York,” by Walter Barrett, Clerk—the late Joseph A. Scoville.—Ed. *HIST. MAG.*

## PAISLEY.

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"Every person at all familiar with the history of Scotch manufactures will readily call to mind a busy, prosperous town, bearing the above name, in Renfrewshire, and chiefly known by its extensive trade in cotton and woollen goods.

"There is another PAISLEY, much less distinguished in history, of which it is our purpose to speak at this time.

"The mutations in commerce and manufactures which have occurred in a space of time but little more than is allotted to a generation, are remarkable for their importance in the light of social progress, and are not undeserving of notice.

"Reference must be had to the uninviting tables of the Statistician for full information on this topic. But it may not be out of place to remark, that forty years ago the cotton sheetings, brown and white muslins, checks, stripes and drills, the substantial materials essential to the wants of the thrifty and well-ordered household, were mostly woven in hand-loom, and not as now the products of immense manufacturing establishments, around which have clustered populous cities and villages, in New York and in New England.

"Inventive genius, inspired by the examples of Watt, and Whitney, and Arkwright, conceived and executed the complex machinery by the aid of which American enterprise now largely supplies the world with cotton goods, indispensable to most nations, but which were comparatively unknown to the commerce of this continent at the commencement of the present century.

"Before that time the household appliances were principally of linen and woollen fabrics, imported from the British Islands and Continental Europe, while India, in exchange for our silver dollars, sent us sparingly of her delicate muslins, but abundantly of coarsely-woven 'Baftahs,' 'Gurrahs' and 'Mammoodies,' the handiwork of a patiently laborious, but most uninventive people.

"From these distant teachings we drew our early lessons in cotton manufactures. Weaving soon became a prosperous branch of national industry, and it followed, as a natural sequence, that the workmen we needed resorted to our shores to ply their handicraft.

"Scotland sent over her hundreds of frugal and thrifty weavers, who speedily set up their looms to prepare the required commodities. The yarns for their use became an important branch of trade; and as each piece of muslin reached its destined length, and each fragment of the apron-check, coveted by the industrious

"housewife, grew to its proper dimensions, they were transferred to the custody of the merchant, in exchange for current coin, or a fresh supply of yarn.

"The hand-weavers had become a community of themselves in our city at the period referred to, and had won and maintained good repute as an industrious, useful and orderly people. These qualities have proverbially marked the Scottish character at home and abroad, and the national attributes were well sustained in the habits and conduct of the little Paisley community, of which we are to speak.

"The year 1822 forms an epoch in our municipal history.

"The yellow fever, which had so often spread suffering and death among the inhabitants, made its last eccentric visit to our city in the autumn of that year. It brought, of course, its wonted terrors. The people of the lower Wards fled at its approach. The banker closed his doors; the merchant packed his goods; and churches no longer echoed the words of Divine Truth. Many hundreds of citizens abandoned their homes and accustomed occupations, that they might seek safety beyond the reach of pestilence, putting their trust in broad rivers and green fields.

"But a few days elapsed from the first alarm, and business had found a refuge and a resting-place. What was then the village of Greenwich, and is now the Ninth Ward of the city, became the improvised centre of trade and commerce.

"The village of that day is not easily traceable on the city map. At a little distance from the spot where the larger merchants had made their temporary homes, ran a secluded country lane, which bore the somewhat pretentious name of Southampton Road. Ancient trees, of a growth anterior to the Revolution, lent their welcome shade in the sultry days of summer, and their protection from the inclement storms of winter, to the sparsely scattered dwellers in this pleasant suburb of the city.

"A convenient nook by the side of this quiet lane was chosen by a considerable number of the Scotch weavers as their place of retirement from the impending danger. They erected their modest dwellings in a row, set up their frames, spread their webs, and the shuttles flew merrily from willing fingers.

"With the love of Scotland strong in their hearts, and the old town, from which they had wandered far away, warm in their memories, they gave their new home the name of PAISLEY PLACE.

"The writer of this sketch, who well remembered and had dealt with the weavers of 1822, chanced to pass, a short time since, through



"Seventeenth street, from the Sixth to the Seventh avenues. Thoughts of the present, and not of the past, occupied his mind. An open gateway attracted attention and invited entrance.

"Listlessly, he sauntered within a charmed circle of ancient memories. He had unwittingly wandered into the pathway once known as Southampton Road. The elms and poplars had suffered the doom of city trees; the old chestnut, from whose gnarled branches the little urchins of the past had gathered the nuts of autumn, lived only in antiquarian memories; but there stood, plainly visible, the Weavers' Row, dim with the marks of age, yet fresh in the observer's mind as an object of interest forty years ago. The paint had faded away from the time-worn materials which formed the humble structures, but the simple sign-words remained to mark the spot where once the busy weaver sat, humming his Scottish airs, while, swiftly as flew the ebbing hours of life, the checkered webbing grew beneath his plastic hands.

"*'Paisley Place'* survives its fourth decade of years, yet no shuttle flies under its fast-decaying roofs. The moldering frames remain, the broken threads hang swaying in the breeze that enters the crevices of the shattered walls; but the weaver's song is hushed: time and death have done their work, and the little primitive fraternity has vanished before the advancing march of associated enterprise."

\* \* \* \* \*

In the preceding sketch, attention was specially directed to the year 1822.

The office of Mayor of the city of New York, for that year, was filled by Stephen Allen, a man singularly gifted by nature and self-culture with qualities which eminently fitted him for public station.

Of stern and unbending integrity, indomitable perseverance in the discharge of all duties, and a resolute determination to forbid the intrusion of private interests into any public trust, he was a rare example of an upright and efficient magistrate.

Living to a ripe and honored old age, in the enjoyment of the fruits of a well-won independence, he perished, at fourscore years, by the accident which destroyed the steamer *Henry Clay*, on the Hudson River, in the summer of 1852.

The mention of this venerable and respected name recalls vividly to the mind of one who knew them well the persons and characters of a class of citizens long associated with Stephen Allen in the conduct of public affairs, each of whom has left the memory of a life of usefulness and honor.

The city of New York may well be proud of a municipal record which contains the names of

William Paulding, Walter Bowne, Richard Riker, Benjamin Bailey, John T. Irving, Saul Alley, Preserved Fish, Eldad Holmes, Abraham Van Nest, Cornelius W. Lawrence, Myndert Van Schaick, David Bryson, John Targee, Isaac L. Varian, Churchill C. Cambreleng, and Jacob Lorillard.

The time will come, if it be not now, when some practised hand shall rightly depict the services rendered by these and other citizens who illustrated an epoch honored in its traditions of fidelity to public duty.

In this digression upon the men of past times, we are in danger of losing sight of the topic under discussion.

Mr. Valentine has fortunately rescued from the oblivion of private archives a rare and curious map, which indicates the precise locality of Paisley Place.

Southampton Road appears to have been a continuation of Great Kill Road, and extended circuitously from a point near the intersection of Seventh avenue and Sixteenth street to Abingdon Road (familiarily known in former days as Love Lane), which ran nearly on the line of the present Twenty-first street, from Broadway to Fitz Roy Road, near the commencement of the Eighth avenue.

The map alluded to is accompanied, in the *Manuals* for 1852 and '3, by an explanatory table, giving the numbers affixed to the several estates situated on the lower portion of Manhattan Island, with the names of their respective proprietors in the Olden Time.

The information thus furnished will serve to elucidate many of the questions which interest the antiquarians of the present day.

Number sixty-seven on the map, it will be seen, refers to the Greenwich estate of Sir Peter Warren.

This English family resided for a number of years on their extensive property, and gave their name to one of the city streets.

Admiral Warren, who seems to be but little known in written history, was an adopted citizen of New York, and exercised considerable influence in the affairs of the Colonial government.

It is a mooted question with the antiquarians of the day, whether or not the house known as No. 1 Broadway, so long and intimately associated with interesting local traditions, was the property and town residence of Admiral Warren. It is undoubtedly true, that, during the Revolution, these premises, which originally extended to the river,\* were in possession of Captain Ken-

\* If our friend, the writer of this paper, had said, instead of his remarks in text, that *the river, in the days of the Revolution, washed the rear of these premises*, he would have conveyed to the reader, more clearly than he has done, the truth of the case. The premises have not been so much changed as has been the water-line in that vicinity.—ED. HIST. MAG.



ned, who afterwards became the Earl of Cassilis: but it is believed by many that they had been previously occupied by the Admiral.

His connection with the operations against Louisburg are incidentally alluded to by Mr. Bancroft, in the closing chapter of the third volume of his history.

The Admiral was knighted for his services in the Royal Navy, while in command of a fleet on this station. He married a daughter of Stephen De Lancey, an eminent New York merchant, and, besides his city possessions, was the proprietor of large estates in the Mohawk Valley.

A good deal of interesting information in regard to the Warren family may be found in a valuable historical work recently published by Mr. William L. Stone, on the *Life and Times of Sir William Johnson*, the celebrated Indian Commissioner, who was a nephew of Admiral Warren, and in early youth came to this country to undertake the management of his uncle's landed interests.

It has almost an air of romance, in alluding to a house still standing unchanged in the city of New York, in the year 1865, to quote from Mr. Stone's book, that the Colonial Assembly being driven from the city by the prevalence of small-pox, adjourned over from the twenty-eighth of November to the seventeenth of December, 1745, "then to meet at the house of Rear-Admiral Warren in Greenwich."

One of the daughters of the Admiral married the Earl of Abingdon; another the Earl of Southampton; and a third, Colonel Skinner of the King's Army. From these sources were derived the names given to the pleasant country roads indicated on the map.

Soon after the death of Sir Peter, which occurred in Ireland in 1752, a division was made of the Warren estate on this Island.

The Abingdon portion, comprising over fifty acres, had become the property of an Englishman by the name of Mallows, a resident of this city, and was purchased from him in 1794 by a well-known citizen, the late Abijah Hammond, who was not destined to realize the advantages due to his sagacious foresight of the coming greatness of the city.

About the commencement of the present century, this property was subdivided and the square formed by Bleeker and Fourth, Perry and Charles streets was sold by Mr. Hammond to Whitehead Fish, by whom it was occupied for about twenty years.

On this ground still stands, under the shade of venerable sycamores, willows and locusts, the old family mansion, known more than a century ago as the Lady Warren House.\*

It is a rare pleasure to find so charming a spot, with every feature of its antiquity faithfully preserved, in the midst of a densely populated section of the city.

The very atmosphere of the place is filled with the associations of a past age. No one has ever invaded the sanctity of its groves. The moldering trunks of trees that perished years ago still cast their shadows on the ground over which their youthful branches once answered with music to the breeze. The primitive garden-walks recall the hues and fragrance of ancestral flowers, while the old dovecotes on the barn, swarming with airy life, restore the murmuring notes that were sweet in long-forgotten years.

Terraces are still green that have felt the footprints of unremembered generations—maiden and matrons, soldiers and civilians, subjects of a King and citizens of a Republic, many of whose forms have lain so long in the earth that their burial-places have faded away from the memories of the living.

Alas! how few of the dwellers in these crowded haunts of Commerce, immersed in the daily concerns of life, surrounded by its pleasures, sometimes overshadowed by its great sorrows, have ever thought of the days and nights when, over the green lawns and through the lighted courts of the Warren Mansion, flashed far and wide the splendors of its gayety and fashion!

Nothing remains to recall these faded glories, save the venerable edifice within whose halls crowds of titled lords and noble dames once held high festival.

All have departed; domestic legends are forgotten; titles and those who bore them exist no longer.

This interesting homestead—a fitting place of retirement for the closing hours of declining age—has been for nearly forty years the property and residence of ABRAHAM VAN NEST, one of the oldest and most esteemed of the elder New York merchants.\*

A considerable portion of the original Warren estate, including the little Paisley nook, now forms a part of the vast possessions of the Astor family. What a record of indomitable perseverance, unequalled sagacity, and matchless enterprise must be recognized and honored in the mercantile career, out of which has grown the colossal fortune founded by John Jacob Astor!

All the ancient landmarks which connected us with Colonial times are rapidly passing away. The city has absorbed the suburbs far beyond the locality indicated in these sketches, and it is remarkable, indeed, that even one spot should have been spared to gladden the hearts of those who love to study the features of the past.

\* It is thus designated on Ratzer's Map of 1767.

\* While the pen drops these words upon the paper, this venerable citizen has passed to his rest.

Yet a little while, and the surging waves of aggressive progress will doubtless have swept away forever even the few remaining vestiges of the days when this people dwelt tranquilly under the shadow of the British Crown.

The sudden growth in population, wealth and influence which has made the city of New York the marvel of a century, is but a type of the National advancement in physical and moral greatness.

Out of a brief period of imminent peril to free institutions, the American Union emerges before the world with a strength, vigor and self-reliance which establish its rank among the foremost nations of the earth.

The decrees of Divine Providence, which control the destinies of men and nations, are alike inexorable and inscrutable. When George the Third of England, for the mere enforcement of an unequal tax, tightened the reins of despotic power over a Colony, he was unwittingly founding a Republic destined to span a Continent. By a fierce intestine revolt which, in the interest of human servitude, struck a parricidal blow at the heart of a Nation, an Empire of thirty millions souls has been forever consecrated to the sacred principle of human freedom.

*Abstract of Title to a Block of Ground situate at Greenwich, in the Ninth Ward of the City of New York, conveyed by the Executors of Whitehead Fish, deceased, to Abraham Van Nest, by Indenture bearing date the Twenty-third day of November, 1821.*

The Right Hon. Willoughby,  
Earl of Abington, of the  
Kingdom of Great Britain,  
by John Watts, Junr., his  
Attorney, of the first part,  
the said John Watts, Junr.,  
Trustee for the said Earl of  
Abington, of the second part,

Indenture dated  
May 1st, 1788,  
with full covenants.

to

David H. Mallows, of the City  
of New York, Bolter, of the  
third part.

Recorded in Register's Office, in Liber 50 of Conveyances, page 351, April 18th, 1795.

This deed recites that the premises therein (and herein) after described was part of the Estate of Sir Peter Warren; that in or about the year 1768, the Earl of Abington intermarried with Charlotte Warren, one of the three daughters and co-heirs of Sir Peter Warren; that in pursuance of a marriage settlement bearing date

the twenty-ninth day of June, 1768, and made previous to and in contemplation of said marriage, the said Earl and Countess, by lease and release, dated the fourth and fifth of September, 1785, conveyed unto Samuel Eastwyck, Esqr., the share, right and estate of the said Countess in the lands and real estate of which the said Sir Peter Warren was seized or entitled to in the Provinces of New York or New Jersey, or elsewhere in America, to hold the same to the use of the said Earl of Abington, his heirs and assigns forever; which indentures were duly acknowledged by said Earl and Countess before the Lord Mayor of London, and recorded in the Secretary's Office for the State of New York, in Liber Deeds No. 1, page 392, &c.; that in virtue of the said marriage settlement and of settlements made in contemplation of marriage between Ann Warren (one other of the daughters of the said Sir Peter Warren) with Charles Fitz Roy, then Lord Southampton, and also of the marriage of Susannah (the other daughter of Sir Peter Warren) with Colonel William Skinner (in each of which said settlements there was a clause authorizing the Trustees to make partition of the estate of the said Sir Peter Warren) a partition had taken place of the estate of the said Sir Peter Warren lying in America, whereupon certain lands, tenements and hereditaments, of which the premises therein (and herein) after described is part and parcel, were conveyed to the said John Watts to the use of the said Willoughby, Earl of Abington, his heirs and assigns forever, free from the dower of the said Countess of Abington, and in lieu of his undivided share of the estate whereof the said Sir Peter Warren died seized in the States of New York and New Jersey, as by the said conveyance thereof executed by Francis, Earl of Hertford and others, Trustees in the said several marriage settlements named, and again duly acknowledged by the said Countess of Abington before the Lord Mayor of London, bearing date the thirtieth of August, 1787, would appear; that the said Willoughby, Earl of Abington, by his certain Deed Poll or Letter of Attorney, duly executed under his hand and seal, and then lately recorded in the Secretary's Office of the State of New York, did constitute the said John Watts his attorney, either in the name of the said Earl or in his own name, to sell and convey, all together or in parcels, the said lands and premises so conveyed to him, and of which that therein (and herein) after described is part and parcel.

Therefore, in consideration of Two thousand two hundred Pounds, the said parties of the first and second parts convey to the said David H. Mallows, his heirs and assigns:

"All that certain Mansion House, Barn and  
"Plantation situate, lying and being in the Out  
"Ward of the City of New York, between the



"Main Road leading to Greenwich and the Lane called Old Greenwich Lane; and is bounded to the Eastward by said Old Greenwich Lane; to the Southward, partly by a Road called Skinner Road and partly by a lot of Land in the occupation of the Widow Amos; to the Westward, partly by the said Main Road leading to Greenwich and partly by the Land in the occupation of the said Amos; and to the Northward by Ground belonging to Daniel Ludlow now in the occupation of Yellis Mandevil; containing Fifty-one Acres, three Roods, and thirty-four Perches. And also a Lot of ground lying on the West side of the Main Road leading to Greenwich; and is bounded to the Eastward by said Road, to the South partly by said Road and partly by a lot of ground in the occupation of said Widow Amos, to the Westward by Hudson's River, and to the Northward by ground late of James Jauncey, and containing Four Acres and nine Perches."

David H. Mallows, of the City  
of New York, Bolter,

to

Full Warrantee  
Deed, dated  
June 16, 1794.

Abijah Hammond, of the said  
City, Esquire.

Recorded in Liber 155 of Conveyances, November 16, 1821.

Abijah Hammond and Wife

to

Deed dated  
April 21, 1802.

Whitehead Fish.

Executors of Whitehead Fish

to

Deed dated  
November 21,  
1821.

Abraham Van Nest.

## X.—GEORGE WASHINGTON.

BY FRIEDRICH KAPP.\*

Washington's character was among the purest and noblest known to history. He is a brilliant example of what may be accomplished for the welfare of a people and of humanity, even without the aid of transcendent abilities, by concentration of effort and determination to be useful. Merit and success were so marvelously blended

in his career as to make it difficult to distinguish their respective influences; and if he had a misfortune, it consisted in the excessive and indiscriminate encomiums of his countrymen and contemporaries, which have provoked the suspicions of later times and other countries. The fulsome adulation practised by many Americans when they profess, and in many instances really believe themselves to be inspired with patriotism, envelops the images of their great men in a false mirage of idealism. To render honor to whom honor is due is, in their eyes, to divest of all human attributes, and to deify. Whatever is incompatible with an apotheosis, is either smothered by silence or absolutely misrepresented. Some autograph letters of Washington, which have come under the writer's personal inspection, prove that the publisher of his papers, Jared Sparks, of Cambridge, has suppressed and toned down a number of passages, in order to make his hero appear a more devoted Christian than he was, and more conversant with or observant of the requirements of modern etiquette and fashion. Under this code it would have been in bad taste to swear an oath, or even to call by its right name the cowardice once exhibited by certain New England regiments otherwise of good repute. Sparks considered this a sufficient reason for falsifying the record of Washington's life and of American history. There is more virtue, at times, in a round, hearty curse, than in a dainty phrase; and while it is easy to imagine Washington in a torrent of rage at Monmouth, intercepting the premeditated flight of Lee with the words, "In the devil's name, Sir, go back to the front, or go to hell," we can hardly picture to our mind a General at such a moment demonstrating to his insubordinate Lieutenant, in choice and dignified language, that it would hardly do to lose the battle on purpose. Although it was not early in life that he attained the eminence ever since accorded to him, yet the practice of romancing and prevaricating at his expense was well established before his death, and extended even to external matters. He is known to have had a well-formed head, with marked manly features (Wertmueller's picture is probably the best representation of him in his prime), and a powerful bust, on which account he showed to great advantage on horseback and in a sitting posture. On the other hand, his lower extremities were a trifle too small. To conceal this disproportion, the artist who, just before the conclusion of peace in 1783, painted Washington leaning upon his white horse, requested one of the handsomest men of the army, Lieutenant-colonel W. S. Smith, who subsequently became the son-in-law of John Adams, to stand for him in place of the real subject of the portrait. Smith himself jokingly mentions the circumstance in one of his

\* It is with no ordinary degree of pleasure that we introduce to our readers the accomplished biographer of Steuben and DeKalb. We have reason to hope for frequent contributions from his pen.—ED. HIST. MAG.



letters, lamenting that nothing of him would descend to posterity except his pedestal, and that under a false label. Be that as it may, Washington's character has suffered in the eyes of his contemporaries and of posterity more by the super-serviceable zeal of his friends than by the hatred of his enemies. And yet it is by no means difficult of delineation.

In the first place, his social position was well-defined, and brought him out in relief before the masses. He belonged to a family of the rich and aristocratic planters of his parent Colony, at that time one of the most cultivated and refined portions of what subsequently came to be the United States. Relieved of the cares of subsistence, he found leisure to cultivate his mind, and took an interest in public affairs. Strangely as the remark may sound at the present day, the giant abuse of slavery, which ultimately destroys the moral and material prosperity of all communities, had not then challenged free labor to the struggle of life and death, and was even of service to the ambitious and high-toned scions of the aristocracy, in enabling them to give their undivided attention to study and to politics. It is owing to this fact, also, that the Slave States produced the leading men of the Revolution. The patrician and the planter is surrounded by a body of retainers and dependents from his cradle. In such an atmosphere coarse natures steadily degenerate, while fine organizations improve in self-control and in the arts of command—qualities indispensable to the general and statesman, and in which Washington attained a rare proficiency.

Another valuable result of this pecuniary independence was the opportunity thus afforded him of serving his country without reward. While under ordinary circumstances nothing could be more unreasonable than to expect a military commander to act gratuitously, still, in a popular war like the American, the unqualified adherence to the Revolution of a leading member of the Colonial aristocracy was of the utmost consequence. Not only did it attract the irresolute and hesitating to the popular side, but it imbued the people with a firm conviction of his disinterestedness and with implicit confidence in his leadership. It was the very best means that could have been devised by a Southern commander to conciliate the Northern masses: it pre-disposed every one in his favor, and enabled him to point to his own example as an argument for exacting a support equally unreserved and constant.

Far be it from us to assert that these external advantages constituted the greatness of the man; but they contributed to place him at the head of his people, while, on the other hand, they assisted in inducing the people to cast the lion's share of the labor upon his genius and energy.

Superficial historians have thought to dispose of Washington with the remark that he was not a man of great mind, but only of solid parts, integrity, and patriotism. If history were made by men of genius alone, so purely external a view of the case might be less open to animadversion. But inasmuch as the progress of human affairs depends upon the co-operation of minds of every order and degree, the office of men of genius is on the whole subordinate, and often inconsiderable. In all that he did and all that he was, Washington exactly filled his niche; he was perfect and great in his way. It is a contradiction in terms to compare him with the Royal statesmen and captains of the past century, or even with a modern conqueror, with whom he had no opinions, motives or purposes affording any standard of comparison in common. Ever since Napoleon and his Marshals have stormed over the stage in top-boots, amid the clatter of steel and the smoke of cannon, our judgments have been blinded, and our tastes depraved by the *glories* of French enthusiasm. Our standard of heroism has become warped. The most meaningless and turbulent assault and battery, if on a scale sufficiently colossal, is worshiped as heroic. What advantage has the world of Murat or of Ney, the most brilliant of these Marshals, and what heritage was left us by the first Napoleon but an organized police and an iron despotism?

As seen beside these "mighty hunters," the figure of Washington is classically simple and severe. To him the art of war was never more than a dire necessity, a means to an end. He was the citizen-soldier whose like the world has not yet seen; the modern Cincinnatus who, at his country's call, exchanged his plowshare for a sword with no greater alacrity than he returned to his rustic seclusion when his country's work was done. As a strategist, he greatly excelled the English commander opposed to him; and he shows to greater advantage in his letters to Congress than in his operations, in which it is difficult to make sufficient allowance for the infinite exigency of his resources. His inaction was in general compulsory. Whenever circumstances permitted, he assumed the offensive, as is exemplified in the surprises of Trenton and Princeton. Not one in a hundred would have remained undaunted in the face of obstacles such as he encountered; he was ever the same, steadfast in the faith that his cause must eventually triumph; and his troops could not resist the infection of his fortitude. His knowledge of mankind was excellent, and he was an adept in the art of probing the sentiment of the masses, and of adapting the war to the spirit of his people.

It was long before he succeeded in silencing clamor and detraction, and in securing an ascendancy over the minds of Congress, sufficient to

set bounds to their interminable debates and petty cavils. Misled by the systematic adulteration of history, to which the majority of American authors are addicted, Europeans have almost accepted the traditional view of the Revolutionary period as one of stoic virtue and self-denial; and to look upon the "sires of '76" as so many reproductions of Cato, Socrates, Aristides, and Brutus. Never was a simple faith more wide of the unvarnished truth. Then, as now, there was no lack of intrigues and cormorants who fattened on the public distress, of blockade-breakers, and speculators in general; in fact, a regular shoddy aristocracy contemplated the misery of the public with philosophical composure, and devoted themselves with single souls to their individual welfare. While the starving troops were staining the wintry battle-fields with the blood that trickled from their shoeless feet, the husbandman sold his products for ready cash to the English commissariat, and the towns and cities rang with festivities. This was particularly true of Philadelphia, the seat of Congress, where extravagance in clothing, carriages, dinners and wines became the recognized measure of social position. A cotemporary letter describes a banquet at which eight hundred pounds were paid for pastry alone: and this at an early period of the war, when the currency had as yet but slightly depreciated. Another eye-witness compares the fashionable society of that day with the passengers of a sinking ship, who break into the store-room, in order to perish drinking and feasting. In all Philadelphia, then the metropolis, not a bookbinder could be found, because piracy had proved a better and less exacting business. Added to this, the natural jealousy of politicians, the impotence of the Confederation, the animosities between the different States, each of whom looked with an evil eye on the importance of the other, and the successes of the enemy, made the condition of the army and of its chief such as can be better imagined than described. Yet he was so far from faltering that his firmness at length overcame all opposition, and no further attempts were made in Congress to direct or influence the conduct of operations in the field.

At the close of the war, it was once more the quiet dignity of Washington that disarmed the impatience of officers and men, and bridged over the transition from a state of war to one of peace. This done, he cast far from him the burden of honor and of place, and buried himself in the peaceful quiet of his farm. His second departure was no less painful to himself, personally, than the first; he made the sacrifice to preserve the country he had called into existence. His merits as a statesman are of a value, at least, equal to those of his exploits as a warrior. Without him, the infant Union would have died in its cradle;

through him, it was fitted for the growth it has since attained. There is not an instance in history of greater self-discipline, consistency and perseverance, of a capacity to make every act of life a means of still further ennobling and elevating the character of the actor, of a greater love of activity for its own sake, of a more conscientious love of country, of more sober and steady pursuit of the noblest aims of life, of greater disregard of self and endurance of hardships and privations, of a more ready resignation of public honors, or of a more eager appreciation of the comforts of domestic life.

His position in the history of his country is well indicated in the famous epitaph, "First in war, first in peace, first in the hearts of his countrymen." In the development of mankind, he marks the close of the period of the Reformation, having established in the domain of politics the supremacy of the doctrines flowing from that great religious movement. In every part of Europe, and in England more than elsewhere, the spirit of the Reformation had been forced into compromises with feudalism and with hierarchy. In America, the Puritans had erected a political structure upon the foundations of that freedom of the individual judgment postulated by Luther and Calvin as the corner-stone of intellectual and ecclesiastical existence. Washington's military achievements released this new political organization from its formal subjection to the European systems, and thereby completed the circle of the Reformation; where this latter had failed to penetrate, Revolution now took its place.

#### XI.—OLD NEW YORK REVIVED—CONTINUED.

##### 18. FURTHER PAPERS CONCERNING THE EVACUATION OF THE CITY BY THE BRITISH, IN 1783.

###### 6.—*Address to Governor George Clinton.*

To his Excellency GEORGE CLINTON, Esq; Governor of the State of New York, Commander in Chief of the Militia, and Admiral of the Navy of the same;

THE ADDRESS of the CITIZENS of New York, who have returned from Exile, in Behalf of themselves and suffering Brethern:

SIR

WHEN we consider your faithful labours at the head of the government of this State, devoid as we conceive every free people ought to be of flattery, we think we should not



be wanting in gratitude to your vigilant and assiduous services in the civil line.

The State, Sir, is highly indebted to you in your military capacity.—A sense of your real merit will secure to you that reputation which a brave man exposing himself in defence of his country will ever deserve.

We most sincerely congratulate you, on your happy arrival at the Capital of the State. Your Excellency hath borne a part with us in the general distress, and was ever ready to alleviate the calamities you could not effectually remove. Your example taught us to suffer with dignity.

We beg leave to assure your Excellency, that as prudent citizens, and faithful subjects to the People of the State of New-York, we will do everything in our power to enable you to support order and good government in the community over which you have, by the suffrages of a free and discerning people, been elected to preside.

Signed, at Request of the Meeting,

THO. RANDALL,  
DAN. PHENIX,  
SAM. BROOME,  
THO. TUCKER.  
HENRY KIPP,  
PAT. DENNIS,  
WILL. GILBERT, SENR.  
WILL. GILBERT, JUNR.  
FRANCIS VAN DYCK,  
JEREMIAH WOOL,  
GEO. JANEWAY,  
ABRAM. P. LOTT,  
EPHRAIM BRASHIER.

NEW YORK, Nov. 22<sup>d</sup>, 1783.

#### 7.—*The Governor's Reply.*

GENTLEMEN,

**A**CCCEPT my most sincere thanks for your very affectionate and respectful Address. Citizens who like you, to vindicate the sacred cause of freedom, quitted their native city, their fortunes and possessions, and sustained with manly fortitude, the rigours of a long and painful exile, superadded to the greivous calamities of a vengeful war, merit, in the eminent degree, the title of patriots, and the esteem of mankind; and your confidence and approbation are honours which cannot be received without the utmost sensibility or contemplated without gratitude and satisfaction.

To your sufferings, and to the invincible spirit with which they were surmounted, I have been witness; and while I sympathized in your distresses, I have deeply lamented that I had no means to alleviate them equal to my inclination.

The assurances of your firm support in the administration of government, gives me singular pleasure. A reverence for the laws is peculiarly essential to public safety and prosperity, under our free Constitution; and, should we suffer the authority of the magistrate to be violated for the sake of private vengeance, we should be unworthy of the numberless blessings which an indulgent Providence hath placed within our reach. I shall endeavour steadily to discharge my duty, and I flatter myself that this State will become, no less distinguished for justice and public tranquillity, in peace, than it has hitherto been marked, in war, for vigour, fortitude and perseverance.

GENTLEMEN :

Your kind congratulations on my arrival at this metropolis, after so long an absence, are highly acceptable; and I most cordially felicitate with you on the joyful events, which have restored us to the free and uncontrollable enjoyment of our rights. While we regard with inviolable gratitude and affection, all who have aided us by their council or their arms, let us not be unmindful of that Almighty Being, whose gracious Providence has been manifestly interposed for our deliverance and protection; and let us shew by our virtues, that we deserve to partake of the freedom, sovereignty and independence, which are so happily established throughout the United States.

GEO. CLINTON.

NEW YORK, Nov. 26, 1783.

#### XII.—SELECTIONS FROM PORTFOLIOS IN VARIOUS LIBRARIES—CONTINUED.

##### 22.—SAMUEL ADAMS TO RICHARD HENRY LEE.\*

BOSTON Dec<sup>r</sup>. 17. 1785.

MY DEAR SIR.

It gave much Pleasure to find that your Countrymen had again honour'd you with their Confidence in Congress. My most earnest wish is, that the Seats in that Sacred Hall may ever be filled with Men of true Wisdom. This Wish, I know, cannot be gratified when the United States shall become debased in Principles and Manners. How much then depends upon the Exertions of the present members to perpetuate the Honour and Happiness of our Country by guarding its Virtue!

I beg leave once more to trespass upon your Time by calling your attention to my Friend Capt<sup>a</sup> Landais. You and I patronized him when he first came into this Country: and I have never

\* From the collection of F. S. Hoffman, Esq.



for a Moment repented of the small share I had in his Promotion in the American Navy, although he has met with the Fate which sometimes has been the Lot of honest Men, through the errors, to say the least, of Courts. He had long suffered as other virtuous Men had, by a Faction on the other side of the Atlantick, which found Means to extend itself to this Country, and as you well remember, to the very Doors of Congress!—But enough of this—Your kind Assistance was greatly beneficial to him in his late Application to Congress, and he and I gratefully acknowledged it. But he remains still embarrassed, and as I conceive, not without Reason—His Pay as Commander of the *Alliance* is offered to him in a Certificate. But what is such a Piece of Paper worth. If it be said, all our brave Sea Officers & Men are thus to be paid, should it not be remembered, that those who continued in the service to the end of the War are allowed a Gratuity. This Allowance was Established several years after he left the Service, and cannot include him, nor does he desire it—But he was broke by a Court Martial—True. And if a private Gentleman discharges his domestick servant even for a Fault, does he not in Justice pay him his due wages? And are not States bound by the Rules of Justice? Captain Landais has been obliged to pay an interest on money on money\* he has borrowed for his support and other necessary expenses, more than the Value of his Pay, and the want of his just Dues has kept him out of Business—He also suffers by a short Allowance of Interest on the Gratuity granted to him for an important service Congress ordered 12,000 Livres to be paid him for that service, *in France*. The Payment there would have been and it was intended to be an advantage to him. It was paid to him in America, and not till the last year—Should not the interest on that sum have commenced in 1777 when the service was performed instead of 79 as it is now settled? But his greatest Grievance, in which indeed he is a sufferer in common with others is the Detention of Prize Money—You recollect this mysterious Business and how often we were written to, and very pressingly by my worthy Friend your Brother, We have been lately told that Capt. John Paul Jones has recieved a large sum on that account This Jones Capt<sup>n</sup>. Landais looks upon as his inveterate Enemy & he has not the least Confidence in him—If you think as I do that he has a Right to authentick copies of Letters written by Jones to Congress or any of the Boards on an affair so interesting to him, on his proper application, your Advice to him on this as well as his other concerns will add to the obligations I am already under to you.

Will you be so kind as to transmit me the names of the present Members of Congress and the States they severally represent.—

I am

Your affectionate Friend

S. ADAMS

To

RICHARD HENRY LEE

23.—PRESIDENT JEFFERSON TO CHRISTOPHER ELLERY.\*

WASHINGTON, May 9, 1803.

DEAR SIR:—

I have lately received a letter from Ingraham, who is in prison a *ca. sa.* on a judgment for 1400 dollars & costs, one moiety (I presume) to the U. S. for having been the master of a vessel which brought from Africa a Cargo of the Natives of that country to be sold in slavery. he petitions for a pardon, as does his wife also on behalf of herself, her children & his mother. his situation so far as respects himself, merits no commiseration: that of his wife, children & mother, suffering for want of his aid, does: so also does the condition of the unhappy human beings whom he forcibly brought away from their native country, & whose wives, children & parents are now suffering for want of their aid & comfort. between these two sets of suffering beings whom his crimes have placed in that condition, we are to apportion our commiseration. I presume his conviction was under the act of 1794. C. II. which inflicts pecuniary punishment only, without imprisonment. as that punishment was sometimes evaded by the insolvency of the offenders, the legislature in 1800, added, for subsequent cases, imprisonment not exceeding 2 years. Ingraham's case is exactly such an one as the law of 1800 intended to meet; and tho' it could not be retrospective, yet if its measure be just now, it would have been just then, and consequently we shall act according to the views of the legislature, by restricting his imprisonment to their maximum of 2 years, instead of letting it be perpetual as the law of 94, under which he was convicted, would make it, in his case of insolvency. he must remain therefore the two years in prison: & at the end of that term I would wish a statement by the Judges & District Attorney, who acted in the cause, of such facts as are material, & of their judgment on them, recommending him, or not, at their discretion, to pardon at the end of 2 years or any other term they think will be sufficient to operate as a terror to others meditating the same crime, without losing just attention to the sufferings of his family. this of course can

\* Repeated in original.

\* From the collection of the Long Island Historical Society.

only respect the moiety of the U. S. The interest you took in this case during the last Congress has encouraged me to hope you would lend your instrumentality to the bringing it to a close, which would gratify me, so far as it could be done without abusing the power of pardon, confided to the discretion of the Executive to be used in cases, which tho' within the words, are not within the intention of the law. the law certainly did not intend perpetual imprisonment. Accept my friendly salutations and high respect.

TH: JEFFERSON.

The Honble. CHRISTOPHER ELLERY.

24.—GENERAL BENJAMIN MOOERS TO GOVERNOR OR TOMPKINS.\*

PLATTSBURGH, 2<sup>nd</sup> Jan'y 1815.

SIR

I have the honor to acknowledge the receipt of your Excellency's Letter of the 24<sup>th</sup> Ult<sup>o</sup>, coving the Unanimous resolutions of the Honorable the Senate and Assembly of this State approving my Conduct and that of the officers and Soldiers under my command at the Battle of Plattsburgh on the 11<sup>th</sup> of Sep<sup>r</sup> last. To have aided in repelling the invading foe was a duty incumbent upon us as Citizens and as Soldiers and the Success accompanying our Efforts was a double source of gratification to myself and to my companions in Arms—And be assured sir that the recollection of that day thus United with the Expression of Public Sentiment by the Representatives of the State will always be felt with Emotions of pleasure and Satisfaction.

To the officers and Soldiers who were my Companions I will immediately Communicate in Orders the thanks of the Honorable the Senate and Assembly and the high sense entertained by those Bodies of their Patriotism and Conduct on that memorable Occasion—

please Sir to accept my warmest Acknowledgements for the favourable Notice by your Excellency of my Conduct and of those of my Command in arms on the above occasion, and for the Confidence reposed in me by you, and also for the aid and assistance I have received from you at different times relative to the defence of this frontier

I am Sir

with great respect  
Your Excellencys  
very Ill<sup>m</sup> Ser<sup>t</sup>  
BENJ. MOOERS.

His Excellency  
Gov<sup>r</sup> TOMPKINS

[Addressed] His Excellency  
Gov<sup>r</sup> TOMPKINS  
Albany

25.—ETHAN ALLEN TO GOVERNOR JONATHAN TRUMBULL.\*

to

The Honourable  
JONATHAN TRUMBULL, Esq.  
Captain General, Governor and  
Commander in Chief of the  
Colony of Connecticut.

HONBLE SR

the Hazard of Takeing Ticondaroga was supposed to be such that the Comitee of War for the Expadition Imploy'd Mr. Jonas Fay of Bennington to Proceede with the Scout to the said Premises in Character of Doctor & Chirurguron which Character Mr. Fay has Merited by Ten Years of successful Practice and as there appears still a Greater Prospect of Need of a Person skilled in these sciences and as Doctor Fay Has with him on the Premises Considerable of a Quantity of Medicines &c. and is willing and well skilled to Continue the Campain in the said Capacity I would therefore Recommend him to be Continued by Your Honour's Appointment and ratification thereof thro the Campain in the Capacity aforesaid this recommendation and request is founded on the Hypothesis that Government will send a Military force to Maintain the Sovereignty of Lake Champlain in favour of the Colonies.

From Your Honours Most Obedient  
Humble Servant

ETHAN ALLEN

This is the Largest Piece of paper  
which at Present I Have

E. A.

26.—JACOB BARKER TO GOVERNOR TOMPKINS.†

N YORK 11 Febr. 1815

MY DEAR SIR

I have the pleasure to inform you that a Treaty of Peace was signed on the 24<sup>th</sup> Dec<sup>r</sup>, was ratified by the Prince Regent on the 29<sup>th</sup> and left England on the 2<sup>d</sup> January in the British Sloop of War *Favourite*, which Vessel has arrived at this Port.—

I have had a full conversation with the bearer of despatches Mr. Carrol; he was Secretary to the Legation and shewed me the bundle of despatches containing the Treaty.—He States that hostilities are to cease on the ratification of the Treaty by the American Government.

Mr. Baker a British Messenger has also arrived with the ratification to exchange it with our Gov<sup>t</sup>.

\* From the collection of the Editor.

† From the collection of the Editor.

Mr. Hughes (Sec. to one of our ministers) left Ghent the day before Mr. Carrol to embark at Bordeaux for America in the schooner *Transit*.—

I enclose a Newspaper and also a Copy of a Letter from my London Friend, and beg you to make public the glad tidings.

Some other Letters accompany this from my friend, who however do not contribute for any part of the expence.—

With great respect and esteem

I am

N B

Your assured friend

This Letter is to be put  
into your hand by to-morrow night before eight O'Clock  
JACOB BARKER.  
or no pay.—

[Addressed:] His Excellency  
DANIEL D. TOMPKINS  
Governor  
State of New York.

### XIII.—THE RECORDS OF THE CITY OF NEW AMSTERDAM—CONTINUED.

[Original, 23; Translation, 36, 37.]

THE Director General and the Councillors of New Netherland to all Persons who shall hear, see, or read these Presents, Greeting.

Whereas experience has shown and taught us that on New-Year's Days and on May days, from the firing of guns, and planting May-poles, and drunken drinking, there have resulted unnecessary waste of powder, much drunkenness, and other insolent practices, together with other lamentable accidents and bruises that generally arise therefrom, Therefore, in order to prevent these, it is hereby expressly ordered, by the Director General and the Councillors, that, from this time forth, within this Province of New-Netherland, on the New-Year and May-days, there shall be no firing, nor May-poles planted; nor shall there be any beating of the drum; nor shall there be on the occasion, any Wines, Brandywines, or Beer dealt out; and, in order to prevent all such accidents and injuries, there shall be a fine of Twelve Guilders for the first offence; Twenty-four Guilders for the second offence; and arbitrary correction for the third offence; the One-third for the Officers, One-third for the Poor, and the remaining One-third for the Prosecutor. We do, by these Presents, com[37]mand all the Subaltern Courts in this Province, to Proclaim

these Presents, in all their public places, and to affix them there; and promptly to execute them.

Done in the Fort Amsterdam, in New Netherland, this last day of December; Anno 1655.

Signed by order of their High Mightinesses

The Director General and the Councillors  
of New-Netherland.

C. V. RUYVEN, Secretary.

[Original, 29, 30; Translation, 37-39.]

WHEREAS painful experience has, from time to time, taught us concerning the separated habitations at the outside end, (plainly against the order and benevolent intention of the Honorable the Company and their Chief Magistracy, the Councillors) of the even land, in several hovels and places, there are perpetrated many and various murders, killing of persons, destruction of cattle, and the burning of houses, both now and formerly committed by the Indians or natives of this land, all which might have been prevented, through the help of God, if the good inhabitants of this Province, in their form of Towns, Neighborhoods, and Hamlets, had settled down close to one another, after the manner of our near neighbours of New-England, who, in consequence of their combination and living close to one another, have never been exposed to as manifold and general catastrophes as we have, together with our countrymen: to be ascribed in the first, to the righteous correction of God for our Sins, and then to the Indians, tempted thereto by the separated [38] residences of the outside people, so that it is not practicable for them, from time to time, to come to the help of one another, on account of the distance of their residences: It is impossible for the Director General and the Councillors to provide each separate outside habitation with a safe-guard, Therefore, concerning the foregoing calamities, murders, damages, and destruction of different persons, farms, and Plantations, and also the last, the notorious damage and drawback upon this country and the good inhabitants themselves, it is hereby Decreed,—and since what has already happened, is to be apprehended and expected again—that as the good inhabitants, by their own experience and that of one another, may become wiser and more cautious, and conduct themselves agreeably to good order, as they are bound to do, by making close settlements, in suitable places, in the form and manner as by the Director General and the Councillors, or by their appointed Agents, shall be pointed out to the inhabitants, until their High Mightinesses, the Director General and the Councillors shall be endued with power from God and their High Mightinesses,



better to support and to protect their subjects : That this may be better practised and executed for the time to come :

Therefore the Director General and the Councillors do, by these Presents, not only give warning to their good subjects, but they do also Ordain and Command them, to settle close to one another in the form of Villages, Neighbourhoods, and Hamlets, by the ensuing Spring, so that they may be the better protected, supported, and [39] defended against all assaults and rencounters from the Savages, both by themselves and the trusty military force of the Director General and the Councillors ; at the same time warning all persons, who contrary to these Presents, shall, from this time forth, remain on their separated Plantations, that they will do it at their own risk, without the Director General and the Councillors coming to their relief ; and, in addition thereto, they shall be mulcted, yearly, in the penalty of Twenty-five Guilders for the public benefit.

The Director General and the Councillors do furthermore order, for the purpose of preventing all sudden fires, that, from this time forth, no Houses shall be covered with Straw or Flags ; nor any Chimneys be built of Clap-boards or Wood.\*

Thus done, resolved, resumed and approved, in the Fort Amsterdam, in New-Netherland, on the 18<sup>th</sup> of January 1656.

Signed by P. STUYVESANT and the Councillors, and underneath by  
C. V. RUYVEN, Secretary.

[*Original, 31 ; Translation, 39-41.*]

**T**HE Director General and the Councillors' of New-Netherland, to all persons who shall hear, see, or read these Presents, Greeting, Know Ye :

Whereas, every day, there have been complaints of various kinds referred to them, which are confirmed by experience, both now and formerly, that, under the notion and name of the Indians, Horned cattle, Hogs, and other animals, on the Plains, have been seized, slaughtered, and offered for sale by Christains, or at least by those who go under [40] the name of Christains ; to prevent which, as far as it is practicable, they do, by these Presents, preemptorily interdict and forbid, that, from this time forth, neither in this City nor in any other Towns, Villages, or Hamlets, nor in the Plains belonging to this Province, shall any Cattle, Calves, Hogs, Goats, or Sheep, be permitted to be slaughtered, not even by the owner himself, unless the owner, first, on the

same day he intends to slaughter, shall have given in such creature as his own, whether it be Kine, Hog, Goat, or Sheep, to the magistrate of the respective place to which he belongs, or to such persons whom the magistrate shall have appointed in his respective place for that purpose, and from him have obtained a Slaughter-certificate : The owner shall be obligated, for the benefit of the Public, to pay to the magistrate, or to the existing Receiver appointed for that purpose, from One Stuyver to a Guilder, for every creature, his own, Kine, Hog, Goat, or Sheep, according to the established value of the same, in case of any dispute by the magistrate in his jurisdiction or by his substitute, which money, in each City, Town, or Hamlet, shall be preserved until a time of need, for the support and protection of the common cause and Town, to be used and expended, as follows ; For Soldiers' or Corps' necessary ammunition, as the occasion shall demand. The fines for the violation of these Presents shall be appropriated and applied as follows ; viz. :—One-third to the Prosecutor, One-third to the Officers, and One-third for the benefit of the common cause, as aforesaid.

Thus done, in the Fort of Amsterdam, in New-Netherland, the 18<sup>th</sup> day of January, 1656.

Was undersigned by P. STUYVESANT ; under the Ordinance of Their High Mighti- [41] nesses the Director General and the Councillors of New-Netherland, and attested by  
C. V. RUYVEN, Secretary.

[*Original, 32, 33 ; Translation, 41-43.*]

**W**HEREAS, the Director General and the Councillors of New-Netherland have been credibly informed and advised, that not only here and within this Province there have been held Conventicles and Assemblies, but, also, that certain unqualified persons, in such Assemblies, have presumed to exercise the Profession and Preaching of God's Holy Word, without their having been thereunto called or appointed by Ecclesiastical or Temporal Authority : which is directly contrary to, and militating against, the Established Political and Ecclesiastical Order of our Fatherland, since, by this kind of Assemblies, many Mischiefs, Heresies, and Schisms are propagated. To prevent this, the Director General and the Councillors aforesaid, Do, by these Presents, absolutely and preemptorily forbid all such public or private Conventicles or Assemblies as are without the wonted (and only allowed by God's word) reformed and appointed Assembly of the Reformed Religion, in conformity with the Synod of Dort, here, in this land, in our Fatherland, and in other Reformed Churches, observed and followed ; under the penalty of

\* Vide Order of the Director General and Councillors, dated January 23, 1648.—H. B. D.

One hundred Pounds, Flemish, to be incurred by all those persons who, in such public or private Assemblies, without the wonted and authorised Assembly, whether on the Sunday or on any other day, being unauthorized, shall presume to exercise the profession of Preaching, Prelection, or Singing; and [42] Twenty five Pounds, alike Flemish, to be incurred, over and above, by every male and female, married or single, who may be found in such Assembly; without the Director General and the Councillors' intending hereby any prejudice to any Patent heretofore given by them, or any lording over the conscience, or prohibiting the reading of God's holy word, or the domestic praying and worship of each one, in his family; but all public and private Conventicles and Assemblies, whether in public or private houses, without the aforesaid wonted and established Reformed Divine worship: And, that this may be hereafter better observed and executed, and that no one may plead ignorance thereof, the Director General and the Councillors do hereby order their Fiscaal, together with the subaltern magistrates and Schouts, to Proclaim these Presents, and to cause them to be Proclaimed, every-where, and against the transgressors of these Presents, to cause the penalties to be inflicted, the more so because, by such conduct, we promote the honor of God, advance the Reformed Religion, the tranquillity of our common Country, and also its Union and prosperity, as it behoves us.

Thus done, Resolved, and approved, in the Fort of Amsterdam, in New Netherland, on the 1<sup>st</sup> day of February, Anno 1656.

This Order of their High Mightinesses the Director General and the Councillors of New-Netherland was undersigned by P. STUYVESANT.

Attest

C. V. RUYVEN, Sec.

[*Original, 34; Translation, 44.*]

**T**HE Director General and the Councillors of New Netherland, with the advice of the Burgomasters and their High Constables, by these Presents, do make known and they do give warning, that from this time forth, no persons shall be permitted, between this and the Fresh-water, to harbor at night, any Indian, under the penalty of Twenty-five Guilders for each offender, who, without permission from the Director General or the Secretary, signed, shall harbor any Indian in the night.

Thus done in Fort Amsterdam, in New Netherland, this 29<sup>th</sup> of May, Anno, 1656.

This Order of their High Mightinesses the Director General and the Councillors of New Netherland was signed by P. STUYVESANT.

C. V. RUYVEN, Secy.

[*Original, 35; Translation, 44-46.*]

**T**HE Director General and the Councillors of New-Netherland, by these Presents, do make known to all, that information has been given them by certain Indians, that two, three, or four Indians from Tappan's were harboring some evil design, and had given them to understand that they intended to murder some particular Christians, on the flats; And, Whereas the Director General and the Councillors have not been able to ascertain towards what place or against whom their aim is, much less whether this should be the general design of the Nation, and particularly since it is of the Tappan Nation and other Indians the warning has been given, the Director General and the Coun[45]cillors can neither Ordain nor apply a remedy in any other way than, by these Presents, to revive their former Orders and Proclamations, to wit: That those persons who are living without, in separate habitations, shall withdraw into the nearest Village or Hamlet, and make a combination, in the penalty heretofore established in the premises: In the meantime, that they warn each other to be on their guard; and not to frequent the woods, or the road without being armed, and always in company of at least two, three, or four, so as to be able to resist these Bush-men: and, further, to prevent such separate murders and homicides, the Director General and the Councillors, with the advice of the Burgomasters of this City cannot now, as they could not formerly, devise any other or better expedient than what has already been repeated; and to interdict and to forbid that no Indian with a gun or any other weapon shall be admitted into any fortified place, nor into the flat lands, nor into any Village or Hamlet, nor into any house, under the penalty of forfeiting such weapon, which weapon, on the complaint of the inhabitants, may and shall be taken away by the Schouts, Marshals, or, in their absence, by any of the Magistrates, to wit, eleven days after the Proclamation and Affixture of these Presents, or after the Indians shall have received the knowledge of this Order and warning; And the Director General and the Councillors do, by these Presents, command their subjects to give the Indians the knowledge of these [46] Presents, in the Indians tongue, in their most civil and most acceptable manner, as it is the advice of the Director General and the Coun-



cillors, and of the Burgomasters aforesaid, with the intent and design of preventing all injury between the Christians and the Indians.

Thus done, in the Session of their High Mightinesses the Director General and the Councillors, in Fort Amsterdam, in New-Netherland, on the 1<sup>st</sup> day of July, 1656.

Was signed by P. STUYVESANT, and attested by

C. V. RUYVEN, Secy.

[*Original*, 36 ; *Translation*, 46, 47.]

THE Director General and the Councillors of New Netherland, to all persons who shall see these Presents, or hear them read, Greeting :

Whereas, now and then, the people from without are in the habit of bringing into this City different commodities, such as Veal, Pork, Butter, Cheese, Turnips, Roots, Straw, and other products of the land, for the purpose of selling them; and it frequently happens, particularly here at the Strand, that they are obliged to tarry long and to lodge, to their great damage, for the reason, because the community, or, at least, the greater part, especially those who live away from the Strand, are not aware that such commodities have been brought for sale, not alone to the discommoding of the Burghers but also to the notorious injury of the enterprising man from without, who frequently has to lose more in his time than the [47] profit on his commodities will warrant. Therefore, for the purpose of making provision in the premises, the Director General and the Councillors aforesaid, by these Presents, do ordain that from this time forth, here in this City, SATURDAY shall be the MARKET-DAY; and that market shall be held at the Strand, at or around the house of Mr. HANS KIERSTEDÉ, where *after him*, every one who has any thing to buy or to sell, shall be permitted to enter.\*

Thus done, in the Session of their High Mightinesses the Director General and the Councillors, held in Fort Amsterdam, in New-Netherland, on the 12<sup>th</sup> of September, 1656.

Signed by the Director General and Councillors of New-Netherland.

Attest

C. V. RUYVEN, Secy.

\* Doctor, or rather, "Surgeon" HANS KIERSTEDÉ, had been an old servant of the West India Company, and was in New Amsterdam as early as 1638.

Several years after, he purchased the ground adjoining the Company's Stores, on the Strand of the East-river—now the East line of Pearl-street, between Whitehall and Moore, where this first Market was established by law, as above provided.

Dr. Kierstede died in 1665 or 6.

This Market is fully described in Colonel De Voe's interesting *Market Book*, 35-44.—H. B. D.

[*Original*, 38-41 ; *Translation*, 48-55.]

The Director General and Councillors of New-Netherland, to all persons who shall hear or read these Presents, Greeting :

Be it known, that by daily and painful experience they have learned that the Orders and Proclamations repeatedly issued and repeatedly revived against the profanation of the Lord's day of rest,\* the unlawful Tapping, on that day,† in the night, after the placing of the watch on the ringing of the bell,‡ against the dangerous, yes, damnable, Sale or Dealing out of Wines, Beers, and Brandy-waters,§ against the Baking and selling of both the coarse and the small white Loaves of Bread,|| are not regarded, observed, maintained, nor yet executed, according to the benevolent intention of the Director General and the Councillors, and as necessity imperiously demands, to the dishonoring of God, to the manifest injury and disturbance of the peace and tranquillity of the inhabitants; and also to the great contempt of the authority of the higher and the subaltern Magistrates of this Province; Therefore, the Director General and the [49] Councillors aforesaid being desirous to make all necessary provisions for said offices and duties, do hereby Resolve, Revive, and Amplify their aforesaid issued Ordinances and Proclamations, interdicting and forbidding :

IN THE FIRST PLACE, that on the Lord's day of rest, usually called Sunday, no person shall be allowed to do the ordinary and customary labors of his calling, such as Sowing, Mowing, Building, Sawing wood, Smithing, Bleaching, Hunting, Fishing, or any works allowable on other days, under the penalty of One Pound, Flemish, for each person, so offending; much less any idle or unallowed exercises and sports, such as Drinking to excess, frequenting Inns or Tap-houses, Dancing, Card-playing, Tick-tacking, Playing at ball, Playing at bowls, Playing at nine-pins, taking jaunts in Boats, Wagons, or Carriages, before, between, or during, Divine Service, under the penalty of a double fine (Two Pounds, Flemish); and particularly, no Innkeeper nor Tapster shall be allowed, before, nor between, nor during, Divine Service, to follow his customary business nor undertake to Tap, Hand out, Give out, or Sell, any Brandy-wines, Beers, or Ardent Spirits, directly or indirectly, under the penalty of Six Guilders, to be forfeited by every Innkeeper or Tapster, for each person; and every one of such persons as shall be

\* Vide Orders of the Director General and Councillors, May 31, 1647, March 10, and April 29, 1648.—H. B. D.

† Vide Orders of the Director General and Councillors, May 31, 1647, March 10, and April 29, 1648.—H. B. D.

‡ Vide Orders of the Director General and Councillors, May 31, 1647, March 10, 1648.—H. B. D.

§ Vide Orders of the Director General and Council, March 10, 1648, and November 8, 1649.—H. B. D.

|| Vide Orders of the Director General and Council, November 8, 1649, April 14, 1650, and June 5, 1651.—H. B. D.



found drinking at the aforesaid times, shall forfeit also Three Guilders. No Innkeepers nor Tappers shall be allowed, on Sunday or any other [50] day, to follow his business, nor to continue Tapping, Selling, or Handing out any Wines, Beers, Brandy-wines, or Liquors, to any person, after the setting of the Watch or the ringing of the Bell, under the same penalties; domestic, barley-laws, and public matters, authorized by the consent and by the Order of the Magistrate alone excepted.

IN THE SECOND PLACE, respecting the very dangerous, injurious, and damnable Selling, Giving out, and Dealing out by Wines, Beers, or Ardent spirits to the Indians or natives of this land, whereby almost all the calamities occur, at least are threatened and encouraged, whenever the Indians become intoxicated, the Director General and the Councillors do revive and amplify their former issued Proclamations;\* and by these Presents, they do Interdict and Command, that no person, whatever his rank and profession may be, shall be allowed to Sell, Exchange, or Deal out to any Indians any Wines, Brandy-wines, or Strong liquors, nor hand them, nor fetch them, nor cause them to be fetched, without, or within, or about the house, on the land or on the water, whether in Sloops, Barks, Boats, or Canoes, on Carriages, or Wagons, of whatever name, directly or indirectly, under the penalty of Five Hundred Guilders, and, in addition thereto, arbitrary corporal punishment and also banishment out of the country.

That these things (for the greater increase and maintenance of the public tranquillity and peace of the good inhabitants of this Province) may be better detected, all the High and Lower Officers, the voluntary or impressed [51] Servants of the Company, and the inhabitants of this Province, in behalf of their duty and obligations, are admonished, required, and commanded to assist in preventing, detecting, and prosecuting this dangerous and damnable Selling or Dealing-out any Wines, Beers, or Brandy waters; or, in case of their failing in these, to pay one half of the pecuniary fine, in case it shall be found, after this, that they have had the knowledge of such Selling or Dealing out of Wines, Beers, or Strong liquors to any Indians, without giving information of the same.

FURTHERMORE the Director General and the Councillors having been credibly informed and advised concerning the Huckstering and Retailing of Wines, Beers, and Spirituous liquors, at and around the River, out of the ascending and descending Sloops, Boats, Barks, Vessels, and Ca-

noes, do not only interdict and forbid, by these Presents, all such Huckstering and Retailing, but they do Ordain, Enact, and Command that no Schippers, nor any persons propelling Barques, Canoes, or Boats, nor any other free or slave inhabitant, of whatever name, rank, or vocation he may be, from this time forth, shall be permitted, whether for himself or any other person, in any Sloop, Boat, Canoe, or any other Vessel, to embark, lade, or take away Wines, Beers, or Ardent Spirits, in greater or smaller vessels, or even in Cans, Jugs, or Flask-cases, without having given in the same, as to the just quantity to the Officer of the place, where the Wines, Beers, and Spirituous liquors, in wholesale or retail, shall [52] be embarked, shipped, or laded, and shall have procured from the said Officer, a Bill or Certificate for Delivery, wherein shall be contained the *quantity* and the *quality* of the Casks and the other vessels, stating for whom the Wines, Beers, or the Spirituous liquors, have been shipped, and to whom they have been consigned; and bring back a suitable Bill or Certificate of Delivery to the particular persons, from the Officer of the place where the same shall have been delivered and from the Receiver himself, signed by them; and all this under the penalty of forfeiting the smuggled Wines, Beers, or Spirituous liquors, and the fine of Five hundred guilders for the First time; for the Second, the forfeiture of the Barque, Yacht, Boat, or Canoe, in addition to the above penalty.

IN THE THIRD PLACE, Concerning the Baking and the Selling of the Coarse and the White Bread, both, neither at the proper weight nor yet at the established price: The Director General and the Councillors aforesaid, by these Presents, reviving and amplifying their former issued Orders on that, do Ordain and Command that all Bakers and all others, inhabitants, who make it their business to Bake or Sell Bread, whether to Christians or Barbarians, shall be obligated (for the accommodation of Christians as well as for the sake of profit, and to do the same for the Indians,) at least once or twice a week, to bake both Coarse and White loaves of Bread, both for Christians and Indians, at the established weight and price, as follows: [53]

*The Coarse Loaf shall weigh,*

One double Loaf, 8 lb., Price, in money, 14 Stuyvers each.

One single do., 4 lb., Price, in money, 7 Stuyvers each.

One half do., 2 lb., Price, in money, 3½ Stuyvers each.

*The White Loaf shall weigh,*

The double Loaf, 2 lb., Price in money, 8 Stuyvers each.

\* Vide Orders of the Director General and Councillors, July 1, 1647, March 10, and May 13, 1648, and August 28, 1654.—H. B. D.

The single do., 1 lb., Price in money, 4 Stuyvers each.

The half do.,  $\frac{1}{2}$  lb., Price in money, 2 Stuyvers, each.

The Bread that is lighter or without the knowledge, order, and consent of the Subaltern Court, lighter in weight or too dear in price, shall be forfeited; and, in addition thereto, there shall be a penalty of Twenty-five Guilders for the First offence; double that penalty for the Second offence; and, for the Third offence, Six hundred Guilders, together with the absolute prohibition from following that business.

FURTHERMORE: No Bakers nor any one who follows the business of making Coarse or White Bread, shall be permitted to sell any Bread made of Sifted Bran, whether at wholesale or retail, to Christians or Indians; but the Bakers of Coarse Bread may make their Coarse Bread of the ground grain, as it comes from the Mill; nor shall they make any other sort of Bread, whether for Christians or Indians, than as before specified, under the penalty as aforesaid; the choice thereof resting in the Judicature of the respective Courts, each in its own jurisdiction, and in such persons, who on account of their better knowledge of Bread, shall be pleased to undertake it.—

[54] IN THE FOURTH PLACE: The Director General and the Councillors having been further informed, and having well considered, that as in the subjects of Tapping, so also in Baking, there are practised many frauds; and, consequently, there are attempts to cover the same under the pretence of Custom, because, up to this time, there has not been any Company or certain number of them acknowledged: Therefore, for the purpose of preventing these, as far as it is practicable, the Director General and Councillors do Ordain and Command that, from this time forth, no person shall follow the business of Baking or Tapping without first having made application to those of the Magistrates in the respective jurisdictions, and having procured from the same, or their authorized Agents, a License for that business, which License shall be renewed by the Innkeepers and the Bakers, quarterly, commencing from the first day of November next ensuing, and every time paying therefor to the behoof of the respective Courts, One Pound, Flemish, under the penalty of suspension from the business, by notorious and wilful neglect—

The foregoing specified Fines and Penalties shall be appropriated, One third to the Officer who shall bring the prosecution; One third for the Church or the Poor; and the remaining One third for the benefit of the Public; and, that the same may be the better known, practised, and executed, and that no person, for the time to come, may pretend ignorance, the Director General and [55] the Councillors do, by these Pres-

ents, Ordain and Command, that in the usual places of publication, these Presents shall be Published and Affixed; and that, after the publication thereof, they shall be observed and executed, without any favor, grace, or reserve, or respect of person, since we have deemed this necessary to the good of the Country in general, and particularly to the welfare of the Inhabitants.

Thus done, revived, and amplified, in the Session of the Director General and the Councillors of New Netherland, at Fort Amsterdam, on the 26<sup>th</sup> of October, 1656.

Signed by P. STUYVESANT,

Attest:

C. V. RUYVEN, Secretary.

#### XIV.—HOW THEY "PUT THINGS," IN BOSTON.

IN THE HISTORICAL MAGAZINE for November last, an article from the pen of its Editor and over his initials, presented to the readers of that work, *in extenso*, the various papers and statements, *on both sides*, relative to the alleged threat of Monsieur Genet, the Ambassador of the French Republic, to appeal from the action of the President "to the People"; and without any expression of opinion whatever concerning the facts thus presented, its author thus closed the article: "It is 'the province of History, to do justice both to the 'Minister and his accusers; and, for the purpose 'of promoting that object, these facts are submitted." H. B. D.

"MORRISANIA, N. Y., October, 1866."

This very simple, and certainly not very partial, submission of the facts of the case, was thus "put" before the Boston public, in the organ of Boston respectability and Boston literature—*The Boston Evening Transcript*, of November 30, 1866:—"The compiler of them, in his closing 'comment, seems rather to espouse the side of the 'impudent French mischief-maker."

On the twenty-fourth of January, 1867, what, in November, had "seemed" like an "espousal" of the side of the impudent French mischief-maker, was expanded by the organ of Boston respectability, as follows: "The other day, an 'American historical magazine defended the 'insulting conduct of Genet at the expense of Rufus 'King and other high-minded Federalists."

This is the first specimen of the Boston way of "putting things," relating to the history of this Republic, to which we shall direct the attention



of readers of that history, in other parts of the world.

The second specimen is equally noteworthy.

In the January number of THE HISTORICAL MAGAZINE, Mr. Brodhead, the learned historian of New York, while speaking of Andros's administration in New England, in 1688 and 1689, remarked that "before the Massachusetts Charter was canceled, in 1684, not one of its inhabitants could vote for officers of the Corporation, unless he was a Freeman of that Corporation and a 'puritanical communicant.'"

At the present writing, we have neither seen nor heard from Mr. Brodhead since the appearance of this rude outburst of Boston's bad manners, and are entirely uninformed concerning the particular authorities on which he relied when he made this remark; but we have on our own shelves, in this country village, the most ample testimony to prove the general truth of the averment.

The original Charter of the Corporation, the *Manuscript Records of its General Court*, i., 62, 72, 164, 170, 171, 186; ii., 112, 180, 181; iv., 339, 407, 418, 427, 446, 483; Letters of Charles II. to the Governor, June 28, 1662, and April, 1664; King's Instructions to the Commissioners, communicated May 5th, 1665, Art. 9; Answer to the King's Instructions, Art. 9, May 16, 1665; Reply of the Royal Commissioners, May 16, 1665 (*MS. Records*, iv., 509;)<sup>\*</sup> Alterations in *The Booke of the Generale Lawes & Liberties* "proposed" by the Royal Commissioners, May 24, 1665, (*MS. Records of the Colony*, iv., 513); Action on petition of Falmouth, 31 May, 1670, (*MS. Records of the Colony*, iv., 653); Letchford's *Plain-dealing*, Ed. Boston, 1867, 58, 59; Vane's *Reply to the Defence of the Order of the Court*—HUTCHINSON'S COLLECTION, 88, 89, etc., are among those authorities which most openly stare us in the face; and prove the entire truth of Mr. Brodhead's description of the general practice in Massachusetts, concerning the admission to Freedom in the Corporation, and therefore to vote in "the Common-wealth," prior to the arrival of Andros.

It is, indeed, true that the original Ordinance limiting the suffrage to "puritanical communicants" was nominally repealed, after two years' earnest struggle with the Crown to retain it, by "a Generall Courtt, called by the Gov<sup>r</sup> & Council, & held at Boston, 3<sup>d</sup> August, 1664;" and that some others than church members were subsequently admitted to the franchise; but it is equally true that this concession was made ONLY under coercion and with the hope thereby to save the threatened Charter, which had been jeopardized by their contumacy; that, even then, it was only nominal in its character, and practically void; that the change was dictated by the clergy—"dexterous pilots, who were equal to the emer-

"gency of safely conducting the Puritan ship between Scylla and Charybdis," (BARRY'S *Massachusetts*, i., 392)—and practically conceded nothing; and that the non-communicants who were subsequently admitted as Freemen and voters, were either distinguished strangers, visiting the Colony, who were thus complimented in order to secure their influence at London, or residents of towns whose services were necessary because no resident "communicant" could be found who was fit to discharge the duties of town officers or representatives.

That the spirit was unchanged by this repeal, is evident in the action of the General Court itself, on the Falmouth petition, May 31st, 1670, in which the inhabitants of that town were gravely told, in reply to their prayer for "an augmentation of Freemen," in order that the electoral franchise and the eligibility to hold office might be extended to non-communicants who were otherwise fit persons, "y<sup>t</sup> it is the best expedient to obtaine the ends desired that those parts furnish themselves with AN ABLE, PIOUS & ORTHODOX MINISTER;" (*MS. Records of the Colony*, iv., 653;) and the *Narrative of the Royal Commissioners to New England*, (HUTCHINSON'S COLLECTION, 412-425, Ed. Boston, 1865, ii., 146, 147;\*) and the *Narrative of Edward Randolph*, communicated to the Home Government, on the twentieth of September and twelfth of October, 1676,†—the latter twelve years after the pretended Repeal—afford ample evidence, from the other party, on the same subject.

But this is not all that supports Mr. Brodhead's averment, concerning the general rule in Massachusetts, concerning the electoral franchise. Massachusetts herself, speaking through her own recognized historians, is redolent of testimony, when put on the stand and cross-examined. Hear her:

#### I. GOVERNOR HUTCHINSON. Referring to the

\* "To elude his Majestyes desire of their admitting men civil and of competent estates to be freemen, they have made an act, whereby he that is 21 years old, a housekeeper, and brings a certificate of his civil life, another of his being orthodox in matters of faith, and a third of his paying ten shillings, beside head money, at a single rate, may then have liberty to make his desires known to the court, and then it shall be put to vote. The commissioners examin'd many townships, and found that scarce three in a hundred pay ten shillings at a single rate; yet, if this rate were generally it would be just; but he that is a church member, though he be a servant and pay not two pence, may be a freeman." p. 418.

† "No person is admitted to be a freeman of the colony, or have vote in any election but church members who are in 'FULL COMMUNION and approved by the generall court.'" HUTCHINSON'S COLLECTION, Edit. Boston, 1769, 478; Ed. Boston, 1865, ii., 212.

"The magistrates and all other officers in the civil government or in any place of profit or advantage are church members, and are consequently freemen, but the number of the church members and freemen compared with the rest of the inhabitants (who are termed the dissenting party) is very inconsiderable, not being reckoned above one-sixth part." (*Ibid.* 489.)



provision of the fundamental law which provided that none but communicants could vote in Massachusetts, he said: "This was a most extraordinary order or law; and yet it continued in force until the dissolution of the Government, IT BEING REPEALED IN APPEARANCE ONLY,\* after the Restoration of King Charles the Second." *History of Massachusetts*, Ed. Boston, 1764, i., 26.

"THEY SEEM TO HAVE HELD OUT TILL THE LAST in refusing to admit any to be freemen who were not either church-members or who did not, at least, obtain a certificate from the minister of the town that they were ORTHODOX, OF GOOD LIVES, &c." *Note on the King's letter of July 24, 1679*, in his *Collections*; Edit. Boston, 1769, 520.

II. JUDGE STORY. In speaking of the state of affairs in Massachusetts, "from the first settlement down to the Charter of William and Mary, in 1692," he says: "No person but a freeman was permitted to vote in any public affairs, or to hold any office; and no person could become a freeman but by being a member of their own church and recommended by their own clergy."† *Anniversary Address at Salem, September 18, 1828*; Ed. Boston, 1828, 51, 52.

III. MR. PALFREY. Referring to the action of the General Court, on the King's letters of June 28, 1662, and April, 1664, pretending to repeal, agreeably to his order, the Ordinance limiting the franchise to those who were "puritanical communicants," he says: "Proceeding to consider the King's former letter, they repealed the law which exclusively associated the franchise to church-membership; SUPERSEDING IT, HOWEVER, BY ANOTHER, OF WHICH THE PRACTICAL OPERATION WOULD NOT BE MATERIALLY DIFFERENT." *History of New England*, ii., 587.

IV. CHARLES STETSON BARRY. After quoting the Act of May 18, 1631, limiting the electoral franchise to "puritanical communicants," he says: "This was indeed a singular law, copied by the New Haven Colony, and virtually for a time by that at Rhode Island; and it continued substantially in force until 1692, BEING REPEALED IN APPEARANCE ONLY after the restoration of Charles II." *History of Massachusetts*, Fourth Edition, i., 269.

To this averment of Mr. Brodhead, thus sustained, William Frederic Poole, the Librarian of the Athenæum in Boston, over the initial "P.,"

made answer in *The Boston Evening Transcript*, of Thursday, February 21, 1867: "As the writer is no tyro, but is a professed historian, we pronounce this statement a deliberate and malicious falsehood"—the Italics being his—and thus, without a single authority except "P.'s" own unsupported word, the verdict of Boston gentility against New York scholarship was recorded without dissent, by the organ of the former.

This is our second instance of the way in which Boston "puts things," concerning American history, to suit herself.

One instance more, and we shall rest our case for the present.

In August, 1812, the United States being then engaged in War with Great Britain, the President of the United States, in conformity with the provisions of an Act for that purpose, issued a requisition on the Governor of Massachusetts for a portion of her Militia, for the defence of the sea-coast of the Republic.

At that time, the Governor of Massachusetts was Caleb Strong, a violent opponent in political associations and principles to the President; and he received the Requisition, and—under the official Opinion of the Judges of the Supreme Judicial Court of the Commonwealth that he could legally do so, if he should consider that none of the exigencies contemplated by the Constitution for the United States existed, so as to require the State to place the Militia, or any part of it, in the service of the United States—he refused to recognize its binding force, or to order out the Militia which it called for.

IN THE HISTORICAL MAGAZINE for January, the call for troops, the Governor's letter to the Judges, and the Judges' Opinion, were published without note or comment, and under the same specific title which the Congress of the United States had given to them, many years since, in *The American State Papers*; yet, in *The Boston Evening Transcript*, of Thursday, February 21, 1867, the same William Frederic Poole, Librarian of the Boston Athenæum, who had publicly styled Mr. Brodhead's statement "a deliberate and malicious falsehood," thus spake of this simple and naked display of the records of Massachusetts: "The documents reprinted with such a pretentious heading are very harmless affairs. \* \* They are these: The War Department, in June, 1812, made a requisition on Governor Strong for troops to defend the sea-coast from Passamaquoddy Bay to Rhode Island. Certain questions arose," [WHAT those questions were he does not tell] "as in the late Rebellion," [WHERE such questions arose during the Rebellion he does not tell] "concerning the Constitutional power of the President and of Congress to order State Militia into the service of the United States; and as to the status and rank of the officers of

\* "The minister was to certify that the candidates for freedom were of orthodox principles, and of good lives and conversations."

† "3 Hutch. Coll., 478, 484, 520, note."

"these troops when in the service of the United States." [*The Governor insisted that no FEDERAL officer, except the President in person, could command Massachusetts militia, even when in the service of the United States; and that, therefore, a Requisition for troops to be commanded by General Dearborn, OF THE ARMY OF THE UNITED STATES, could be legally disregarded by him.*]

"The Governor very properly submitted these questions to the Supreme Court of Massachusetts for decision. The Judges gave an opinion," [*sustaining the Governor's pretended right to judge for himself concerning the necessity for the troops, to disregard at will the Requisition of the President for troops in TIME OF WAR WITH A FOREIGN NATION, and to deny to all other Federal officers but the President, in person, the right to command them.*] "which will be regarded to-day, in the War Department, as good military law" [*which is only the law of the strongest, without regard to the Constitution*], "and which has been recognized as such in the late war. This is all."

"The Editor, on these papers, takes occasion to base a gross charge against the patriotism of a Sovereign State. The trouble with him is, not that Massachusetts did not fight sufficiently in the War of 1812; but that she fought too earnestly his friends and political associates of the Slave-holders' Rebellion of 1861."

These comments are the Boston way of "putting" the Treason of Caleb Strong and the three Judges of the Supreme Court of Massachusetts, in 1812, in the face of a public enemy, and in the midst of a solemn war; of a naked reprint, in the MAGAZINE, of the documents relating to the subject, without note or comment, and under the specific title prefixed to them in the official *State Papers*, published by the Congress of the United States; of the political character of Massachusetts—"a Sovereign State;"—and of what, although not involved in the real subject under consideration, for nearly twenty years past has been an undeviating support of those candidates, ending with Mr. Lincoln, against whom and whose sympathies Massachusetts is not generally supposed to have done much *fighting*—not so much, indeed, as she has of *stealing*. They afford, also, an illustration of the way in which Mr. Poole can sometimes "put" his foot in the very dish which he is most anxiously endeavoring to shelter; and how skilfully modern Boston can "bear false witness against its neighbors."

MORRISANIA, February, 1866. H. B. D.

## XV.—NOTES.

MR. AMOS KENDALL ON THE BREAKING UP OF GEN. JACKSON'S CABINET.

WASHINGTON, Thursday, June 7.

To the Editor of the Baltimore Sun :

Your notice of the death of Hon. S. D. Ingham, contained in your issue of this morning, does, incidentally, great injustice both to Gen. Jackson and Mr. Van Buren.

The rupture of 1831 was not between Mr. Calhoun and Mr. Van Buren, as represented, but was between Mr. Calhoun and General Jackson. It is true that Mr. Calhoun and his friends attempted unsuccessfully to hold Mr. Van Buren responsible for the rupture, in face of his own denial and of conclusive testimony that it was brought about by facts and agencies over which he had no control.

As to the Mrs. Eaton affair, it is not true that General Jackson "determined that she *should* be recognized." She was not recognized by the lady of his own household, nor did he require that the wives of his Cabinet should recognize her. It is true that he believed the tales circulated about her to be false; and, deprecating the discord generated between members of his Cabinet by this affair, he was extremely anxious to convince them all that Mrs. Eaton was not unworthy of the society of their families. His object was harmony and unity in his Cabinet. To produce that, he resorted to no "iron will," but to the chivalry and sense of justice of the members of the Cabinet and their families. The refusal of the ladies to recognize Mrs. Eaton would never of itself have broken up the Cabinet; but it was the personal hostility of the members towards each other, generated, no doubt, in part, by the private quarrels artfully fostered by designing politicians, which produced that result. In short, it was the quarrel of the *men* and not of the *women* which produced the catastrophe, though the former was in a degree the consequence of the latter.

Mr. Ingham was an upright and honest man, with strong prejudice and a will as "iron" as General Jackson's. He introduced some important reforms into the Treasury Department, for which he has never received due credit.

I write this to enable you, by its publication or otherwise, to correct the error alluded to, and do justice to two eminent public men.

AMOS KENDALL.

BROOK'S LIVES OF THE PURITANS.—I am informed that Rev. Benjamin Brook, author of the *Lives of the Puritans*, left manuscript additions to that work, which are still preserved, and are



in the possession of Joshua Wilson, Esq., of Tunbridge Wells.  
J. W. D.

Boston, Mass.

FREE MASONRY.—In the days when Free Masonry most flourished in Ohio, and seemed to embrace nearly all the public men, in any way distinguished, Samuel R. Miller, of Cincinnati, was prominent in the first Masonic Lodge, and the first Royal Arch Chapter formed in that city. In January, 1826, during his attendance on the Grand Lodge at Columbus, Ohio, he told me this: That his father was a Sergeant in the army of the Revolution, under the immediate command of General Washington, and was also a Master Mason; and he had heard his father say that he had more than once been in the Army Lodge when the General was present; and that on the night before the Battle of Trenton, the General had a special meeting of the Lodge called, at which every Mason in the army was summoned to attend, and this Sergeant Miller was present. That the General attended the Lodge, and under that confidence with which Masons can speak to each other, appealed to them all as Masons in behalf of the movement about to be made.

I have full confidence in Samuel R. Miller's statement. Perhaps other traditions to like effect may be found.  
J. H. J.

URBANA, O.

"SLAVERY IN MASSACHUSETTS."—"Mr. Nath. Pigott intends to open a school on Monday next, for the instruction of Negroes in reading, Catechizing & Writing if required. if any are so well inclined as to send their servants to said school near Mr. Checkley's Meeting-House, care will be taken for their instruction as aforesaid."—*Advertisement in N. E. Weekly Journal for April 8th, 1728.*

[From *The New England Courant*, Boston, B. Franklin, Printer] June 22d, 1724:

"Ran away from his master, Mr. James Smith, Sugar Refiner, living near Mr. Cohnan's Meeting House in Boston, a Negro Man named SAMBO, about 26 years old, well set, pretty tall, smooth skin, with a down look, marked with a Whip on the Neck," &c. The owner offers a reward of £5 for his apprehension, and all necessary charges.

THE KINGDOM OF CANADA.—The recent movement in England with regard to Canada does not really add a new term, as some suppose, inasmuch as Canada has been styled a Kingdom from the very earliest times, and for more than a century had its titular Viceroy.

The vocabularies given by Ramusio in his Collection, at the end of the account of Cartier's first voyage, describe the words as in the language of the *Kingdoms* of Canada and Hochelaga. (1) John Francis de la Roque, Sieur de Roberval, was, by Letters Patent dated the fifteenth of January, 1540, created "Viceroy and Lieutenant-General in Canada, Hochelaga, Saguenay, Newfoundland, Bellile, Carpon, Labrador, Great Bay and Baccalaos."

On the eighth of October, 1612, (2) Charles de Bourbon, Count de Soissons, was created Viceroy of Canada, which from this time was officially styled New France. He was succeeded, the twentieth of November, 1612, by (3) Henry de Bourbon, Prince de Condé, but that Prince having been imprisoned, yielded his Viceroyalty to the (4) Marshal Duke of Montmorency, who held it till 1624, when it passed by purchase to (5) Henry de Levis, Duke de Ventadour, but was surrendered by that nobleman. Richelieu and the Duke de Maillé Brézé then governed it under the title of Grand Master, Chief and Superintendent General of the Navigation of France. In November, 1644, however, (6) Francis Christopher de Lévis, Duke de Danville, was created Viceroy, and the title was then held successively by (7) Isaac de Pas, Marquis de Feuqueres, appointed the thirtieth of August, 1660; (8) Godefroy, Count d'Estrade, 1661; (9) John, Count d'Estrées et de Tourpes, 1686; (10) Mary Victor, Count d'Estrées, 1707. On his death, in 1737, the title became extinct, and was not revived during the residue of the French domination. It will be seen, therefore, that the creation of a Viceroy will be nothing new in Canadian annals, although the presence of a Viceroy and his actual residence in the kingdom will form an epoch, none of the French viceroys having ever seen Canada.

NEW YORK CITY.

J. G. S.

AN EXTRAORDINARY MARRIAGE.—*Richmond, September 8th, 1789.* The following extraordinary marriage took place on Thursday se'nnight, Edward Wade to Elizabeth Thurmon, originally of Hanover Co. whose ages added together would nearly extend to the settlement of this State. They recollect when the merchants at the falls of James River, glutted the market by the importation of £1500 worth of goods. These antic lovers began their courtship about 50 or 60 years ago, but were not joined together in the holy state of matrimony till the 27th ult.—*Gazette of the United States, Sept. 19th, 1789.*



## XVI.—QUERIES.

INFORMATION WANTED, respecting the following Bank:

"Three Dollars. No. 425.

"The President and Directors of the *Detroit* Bank promise to pay out of the Capital Stock and Funds thereof to a call or bearer on demand Three dollars and the stockholders jointly and severally guarantee the payment at their office of Discount and Deposit at Detroit

"W. FANAGUN Cashr. 1<sup>st</sup> Nov<sup>r</sup>. 1807.

"JAS. HENRY Presd<sup>t</sup>."

It is a relic of the olden time, and the present owner would be pleased to learn its history.

B.

THE THREE BALLS, THE SIGN OF PAWN-BROKERS' SHOPS.—It is said by historians that the Italian merchants in the fourteenth and fifteenth centuries were called Lombards, and that from the great privileges granted them they became the chief bankers and money-lenders in Europe; that Lombard street, in London, took its name from them, where is the chief seat of the banking establishments; that *three balls* constitute the arms of Lombardy, and have been retained as the sign of pawnbrokers' shops ever since the Lombards were the sole money-dealers in Europe. But the inquiry is, how came this to be the ensign of Lombardy, and what do they signify?

E. F. R.

DAVIDSON'S COLLEGE, N. C.

WHERE can access be had to a book, published in 1830, called *The Scrap Table*? It was a reprint, in book-form, of choice newspaper and pamphlet articles.

M. T. WALWORTH.

NEW YORK CITY.

## XVII.—REPLIES.

"BIT" (*H. M.*, ix., 155).—This word, said to be "familiarily used in the Southern States, as a term signifying a coin of the value of ten cents," has not been further noticed.

When I went to New Orleans in 1821, the word "*bit*" was in universal use to denote one-eighth of a dollar;—not only to denote the coin of that amount, but was also used in money account. The sum of one dollar and fifty cents would be stated in bills and on books thus: \$1. 4. All

common prices were fixed in dollars and bits, and in sums under two dollars in bits only, as two bits, four bits, eight bits, ten bits. The sixteenth of a dollar was either "a picayune" or "a half bit," the latter more common. The copper coin of one cent was not in use.

These were the terms used by people who spoke English, and from New Orleans these designations spread to the interior along the river above. Among the street-venders (*mar-chandes*), who spoke French only, I heard only the terms *piastre*, for dollar, and *eskellin*, for bit (I spell the word as sounded).

The only money in common use at that time was silver coin; and there was this peculiarity, that there was no difference made in common dealing between the dollar, the French five-franc piece (ninety-three cents), and the French crown (\$1.07): all passed as dollars. So with pistareens, they all passed as two bits. Dimes were treated in the same way as bits, until an over-sharp man from the North imported \$7000 in dimes, to be passed as bits, eight for a dollar. This was too bold a stroke, and broke up the habit; the Creole became more precise. I do not know the origin of the term.

J. H. J.

URBANA, O., February, 1867.

EMANUEL SWEDENBORG (*H. M.*, ii., 49).—The discrepancy between the date of his birth as given by Mr. Sandel (twenty-ninth January, 1688), and that given in Swedenborg's letter to Thomas Hartley (twenty-ninth January, 1689), is to be explained by this: that the latter date is an error in printing. The original document given by Swedenborg to the House of Nobles is of course to be preferred to the printed copy of a letter the original of which is not extant. The letter to Hartley contained another mistake of date, where 1743 was given as the beginning of Swedenborg's theological career. When the *Spiritual* came to be published, the true date was found to be 1745.

J. H. J.

URBANA, O., February 25th, 1867.

HAMILTON AND THE PRESBYTERIANS (*H. M.*, ii., 49).—It may be said with truth that Alexander Hamilton did more than any other to give form to the Constitution as it was adopted by the Convention, but it cannot be said with truth that he derived his *Republican* ideas of Government from the Form of Government adopted by the Presbyterian Church. The ideas of Republican Government developed in that Constitution were very prevalent at that day, else the proposal would not have met with such ready concurrence. It was but a duplication of the forms which prevailed in the States. The precise form of a

Federal Union had been proposed by William Penn, in 1697. It had been again proposed by Franklin, at Albany, in 1754, and thus made familiar to the people of all the Colonies. The Constitution was a growth of time, not an invention of the delegates who composed the Convention. It has been said to look very well on paper.

J. H. J.

URBANA, O.

## XVIII.—PROCEEDINGS OF SOCIETIES.

### 1.—THE AMERICAN STATISTICAL ASSOCIATION.

*Boston, Tuesday, January 29, 1867.*—The annual meeting of this Society was held this afternoon, the President, Dr. Jarvis, in the chair.

Letters of acceptance were read from Hon. Hugh McCulloch, of Washington, D. C., as an Honorary, and Prof. Edward E. Salisbury, of New Haven, Ct., as a Corresponding member, to which they had been elected by the Society.

Lyman Mason, the Treasurer, made his annual report, by which it appears that there is on hand, besides the invested funds, \$596.25.

A nominating committee was appointed, who reported the following list of officers for the ensuing year, viz.:

EDWARD JARVIS, of Dorchester, President; Hon. AMASA WALKER, A.M., of North Brookfield, and J. WINGATE THORNTON, A.M., of Boston, Vice-Presidents; Rev. RUFUS ANDERSON, D.D., of Boston, Corresponding Secretary; JOHN W. DEAN, of Medford, Recording Secretary; LYMAN MASON, A.M., of Boston, Treasurer; WM. B. TOWNE, of Brookline, Librarian; Hon. SAMUEL H. WALLEY, A.M., of Boston, EBENEZER ALDEN, M.D., of Randolph, and Hon. GEORGE S. HALE, A.M., of Boston, Counsellors.

The list was balloted for and unanimously elected.

The President read a paper, prepared for the Association by James Stark, M.D., of Edinburgh, Scotland, a Corresponding member and Principal Director of the General Registry Office of Scotland, on the Influence of Marriage on Life and Mortality.

This was the result of Dr. Stark's observation and comparisons of the living population with the deaths in Scotland through a period of nine years. Among 100,000 living of each sex, in each class of the married and single, and in each quinquennial period, it was found that of the males 597 married and 1174 unmarried died in each year between 20 and 25 years of age. Between 30 and 35 the deaths were 865 married and 1369 unmarried. The difference in favor of mar-

ried life diminished with the advance of age, yet was maintained to old age, when between 75 and 80 the deaths were 1168 married and 1454 single men on an average in each year among 100,000 of each class.

Among the males above 20 years old the average duration of life was for the married 59.7 years and for the single 40 years. Among those above 25 years the average was 60.2 years for the married and 47.7 years for the unmarried.

Among females the difference was slightly in favor of single from 15 to 30 and from 40 to 45, but in all other periods, from 30 to 40 and from 45 to 95, the difference was greater in favor of married life; and including all periods, marriage adds largely to the longevity of women.

The tables of Dr. Stark show that, contrary to the common opinion, and notwithstanding the additional cares and burdens of a family, the more regular and comfortable life of the husband gives him a great protection against the dangers that beset the bachelor, and adds to his longevity nearly 100 per cent. between 20 and 25 and about 50 per cent. between 30 and 35 years of age.

During the earlier years of married life, when the first children are born, and at the middle period, when the constitution goes through some changes, married women suffer a slight loss of life in comparison with their single sisters; but for them, as well as for men, the connubial state is, on the whole, the safest from danger, and increases their days on earth.

The Association voted to publish this most important paper in the *Boston Medical and Surgical Journal*.

### 2.—OLD COLONY HISTORICAL SOCIETY.

The annual meeting of the Old Colony Historical Society was held, by adjournment, at Library Hall, Taunton, on Monday evening, the fourteenth of January, 1867, Rev. Mortimer Blake, Vice-President, in the chair. The following officers were elected for the ensuing year: President—Hon. JOHN DAGGETT, of Attleboro.' Vice-Presidents—Rev. M. BLAKE, of Taunton; Hon. SAM'L L. CROCKER, of Taunton. Directors—A. M. IDE, of Taunton; Hon. JOHN S. BRAYTON, of Fall River; Hon. HORATIO PRATT, of Taunton; ELLIS AMES, of Canton; Hon. P. W. LELAND, of Fall River; EBENEZER W. PERCE, of Freetown. Corresponding Secretary—JAMES H. DEEN, of Taunton. Recording Secretary—EDGAR H. REED, of Taunton. Treasurer—THOMAS J. LOTHROP, of Taunton. Librarian—EZRA DAVOL, of Taunton.

### 3.—RHODE ISLAND HISTORICAL SOCIETY.

The annual meeting of the Rhode Island Historical Society was held on the fifteenth of Janu-



ary, 1867, at the Cabinet, on Waterman street, Providence. After the usual preliminary business, the Society proceeded to the election of officers, and the following gentlemen were chosen for the year ensuing :

*President*—Albert G. Greene.

*Vice Presidents*—Samuel G. Arnold, George A. Brayton.

*Secretary*—Zachariah Allen, (in place of Dr. E. M. Snow, resigned.)

*Treasurer*—Richmond P. Everett, (in place of Welcome A. Greene, resigned.)

*Librarian and Cabinet Keeper for the Northern Department*—Edwin M. Stone.

*Librarian and Cabinet Keeper for the Southern Department*—Benj. B. Howland.

*Auditors*—H. B. Drowne and Henry T. Beckwith.

*Committee on Building and Grounds*—Albert G. Greene, Henry W. Lothrop, John A. Howland.

*Committee on Membership*—Wm. Gammell, E. M. Stone, John A. Howland.

*Committee on Lectures*—Albert G. Greene, Wm. Gammell, Edwin M. Snow.

*Society Correspondent of the Historical Magazine*—Dr. W. O. Brown.

Sundry donations were announced by the Librarian.

The Treasurer's report was presented, accepted, and ordered to be recorded.

The report of the Librarian and Cabinet Keeper of the Southern Department was read, accepted, and ordered to be recorded.

The report of the Librarian and Cabinet Keeper of the Northern Department was similarly disposed of.

A vote of thanks to Mr. Welcome A. Greene, for his long and faithful services as Treasurer, was adopted.

Remarks were made by Judge Brayton in relation to the public fund, an attempt to raise which is now being made, and for which several thousand dollars have already been pledged.

The annual tax for 1867 was assessed.

A sum not exceeding \$50 was placed at the disposal of the Librarian for the purpose of purchasing such books and pamphlets as it was deemed advisable to have in the Society's collection, and which could not be obtained in the usual way.

It was also voted, that in notifying members, circulars should be hereafter sent to them, and it is therefore desirable that members residing out of town should send in to the Secretary their post-office address. Adjourned.

#### 4.—LONG ISLAND HISTORICAL SOCIETY.

The regular meeting of this Society was held on Thursday Evening, the seventh of February, Mr. John Winslow in the chair.

A full report from the Committee appointed for the purpose of raising a Library fund of fifty thousand dollars, was presented by Rev. R. S. Storrs, Jr., D.D.

He said that the committee had been more than successful. The amount subscribed had reached the sum of Fifty-six thousand seven hundred and fifty dollars, which, with Four thousand five hundred dollars in the Treasury at the outset, made the present Library fund Sixty-one thousand two hundred and fifty dollars, the interest of which is to be devoted toward the general increase of the Library of the Society.

Dr. Storrs also stated that a fine building site on Brooklyn Heights had been secured, and that a subscription to pay for it was then being taken. Owing to the high prices of building materials, the erection of a building would be postponed for the present.

He then read the names of the subscribers to the Library fund, as follows :

A. Abbott Low.....	\$5,000	Milan Hulbert.....	\$500
Horace B. Claflin.....	5,000	John W. Frothingham..	250
S. B. Chittenden.....	5,000	Charles S. Baylis.....	250
Jeremiah P. Robinson..	2,500	Benjamin D. Silliman..	250
James H. Prentice.....	2,500	William C. Rushmore..	250
Josiah O. Low.....	1,500	A. Cooke Hull, M. D..	250
E. H. R. Lyman.....	1,500	Charles J. Lowry.....	250
George S. Stephenson..	1,500	John S. Ward.....	250
J. Carson Brevoort.....	1,000	James P. Wallace.....	250
Henry E. Pierrepont..	1,000	Michael Snow.....	250
Joseph Battell.....	1,000	Joseph B. Brush.....	250
Henry Sheldon.....	1,000	Daniel C. Robbins.....	250
Thomas Hunt.....	1,000	Henry R. Pierson.....	250
Henry W. Sage.....	1,000	John Davol.....	250
Edwards W. Fiske.....	1,000	David H. James.....	250
Peter C. Cornell.....	1,000	William H. Swan.....	250
Edwin C. Litchfield..	1,000	William C. Duntun.....	250
Isaac Van Anden.....	1,000	Robert J. Hunter.....	250
Ethelbert S. Mills....	500	James R. Taylor.....	250
Joshua M. Van Cott....	500	Charles Dennis.....	250
Alfred S. Barnes.....	500	John O. Whitehouse..	250
John D. McKenzie.....	500	Henry Collins.....	250
Edmund W. Corlies....	500	Bryan H. Smith.....	250
Henry Sanger.....	500	Col. Alfred M. Wood..	250
Lyman S. Burnham....	500	William B. Barber....	250
W. Augustus White....	500	Samuel B. Caldwell....	250
Cornelius D. Wood....	500	Charles B. Caldwell....	250
W. W. Wickes.....	500	Chas. A. Townsend....	250
Henry G. Reeve.....	500	Walter T. Hatch.....	250
Warren D. Gookin....	500	Theodore L. Mason, M.D.	250
George B. Archer.....	500	Jonathan Ogden.....	250
Edwin Bulkley.....	500	John T. Howard.....	250
Rufus R. Graves.....	500	Edward T. Richardson,	
Abraham B. Baylis....	500	M. D.....	250
Franklin Woodruff....	500	Demas Barnes.....	250
George C. Robinson....	500	James H. Stebbins....	250
Isaac Henderson.....	500	Alexander McCue.....	250
John B. Hutchinson....	500	Amos Robbins.....	200
Enos Richardson.....	500	C. L. Mitchell.....	100
J. S. T. Stranahan....	500	John Barker.....	100
Thomas Brooks.....	500	G. Granville White....	100
Martin Kalbelsch.....	500		
John Bullard, Jr.....	500		\$56,750

Mr. John Fowler, Jr., of New York, then read a paper on "The Ancient Homestead of the Jones Family, Queens County, Long Island."



## SPECIAL MEETING.

At the meeting of the Society, held on the twenty-first of February,

Mr. Eugene Lawrence, of New York, read his paper on "Anne Hutchinson," a full report of which appears in another part of this number.

The following are the names of members elected in February :

Pope Catlin, Frederick R. Fowler, Robert Ormiston, M.D., Leopold Brandeis, C. R. McClellan, M.D., Pitt Cooke, John W. Peckett, Miles Standish Bromley, Mathew Wilson, Howard C. Cady, Joseph Hoey, Howell Smith, Stephen M. Ostrander, Norman S. Bently, W. A. Brush, John Caldwell, Silas B. Dutcher, Reuben Daniell, Alonzo Follett, Frederick W. Green, Lloyd B. Hoppin, E. R. Humphrey, Robert J. Hunter, Thomas P. Kinsley, C. C. Martin, Frederick Piggott, Edwin A. Studwell, John K. Stimson, Rev. A. P. Van Gieson, Edward B. Willetts.

The first volume of the Publications of the Society will be ready for delivery to subscribers on the twentieth of March.

## XIX.—BOOKS.

## I.—RECENT PUBLICATIONS.

1. *Fugitive Pieces, by various hands.* 1866. Morrisania: 1867. Octavo.

In this beautiful volume, just issued from the Bradstreet Press, we have Volume III. of *The Magazine Miscellany*, to which reference was made in our number for January.

It contains ten of the leading papers which appeared in the HISTORICAL MAGAZINE during 1866, including those on "Henry Laurens," Mr. Ewbank's "Rock-writing," Mr. Moore's "Staten Island and New Jersey Boundary," Mr. Brodhead's "Hennepin never in Albany," our own article on "Citizen Genet," and our series of articles on "American Methodism," and is exactly uniform in style and size with *The Gazette Series*, which was so much the object of admiration among collectors, a year ago.

As no more than fifteen copies of this volume were printed, it has already found its way into the leading collections of England and America.

2. *History of the Dividing Line and Other Tracts.* From the papers of William Byrd, of Westover, in Virginia, Esquire. In two volumes. Quarto and small quarto; pp. I., xix., 233; II., viii., 276.

In these beautiful volumes, Mr. Wynne, of Richmond, Va., has recently issued a carefully prepared edition of the celebrated "Westover Papers," from the original manuscripts, preceded by an historical Introduction from his own pen.

The first volume contains Colonel Byrd's *His-*

*tory of the dividing line, between Virginia and North Carolina, as run in 1728-29; the second, his Journey to the Land of Eden, Anno, 1733; A progress to the Mines, in the Year 1732; The Proceedings of the Commissioners appointed to lay out the Bounds of the Northern Neck, Anno, 1736; An Essay on Bulk Tobacco, and various Miscellaneous Papers, of greater or less importance; and both form Nos. II. and III. of "The Historical Documents from the Old Dominion," of which The Williamsburg Orderly Book was the first.*

In Mr. Wynne's well-known integrity as a writer of History, the student has an ample guarantee that the volumes before us are what they purport to be; and their importance to every one who is at all conversant with the history of the two States of Virginia and North Carolina will be patent to every one.

These are what are known as "privately-printed" books, from the Munsell Press—among the choicest of his works—and numbered, of the smallest size, two hundred copies, of the largest, forty, of the last of which thirty are strictly for private distribution.

3. *The Northern Invasion of October, 1780.* A series of papers relating to the expeditions from Canada under Sir John Johnson and others against the Frontiers of New York, which were supposed to have connection with Arnold's Treason. Prepared from the Original, with an Introduction and Notes, by Franklin B. Hough. New York: 1866. Octavo, pp. 224.

We have here the sixth of the series issued by the Bradford Club; and, although the skilful artisan, Mr. Munsell, has succeeded in making a handsome job, he has failed to cover up the impudent imposition of the Editor, in his pretended discovery of co-operative movements in Northern New York to second the Treason of Arnold.

As by far the greater portion of these expeditions were set on foot and carried out *after the flight of Arnold and the execution of Andre were widely known*; and as the Editor seems to have had no warrant whatever for his pretensions of their connection with Arnold's treason, except *two casual remarks*, of two and three lines, respectively, which Governor Clinton and General Washington wrote nearly a month after, and then only as *possibilities* rather than *probabilities*, we conceive that Dr. Hough's imagination must have got the best of him, in this instance, and that both the Club and their customers, especially the latter, are simply victims of misplaced confidence.

At any rate, we are sensible of the fact that the Editor's name will not, very soon, hereafter, pass current among honorable men as a voucher for averments in Historical matters; and it strikes us, also, that having discovered the imposition practised by its Editor, the Bradford Club should not have subjected its friends and customers to a

tax of twelve dollars for what it should have known, and probably did know, was not worth as many cents, except as a volume which is necessary in order to keep the sets of their series perfect, without regard to the merits of its contents.

Why did not the enterprising Editor rather take notice of the dispersion of Ethan Allen's Vermont troops, about the time referred to, and the pretended *cartel* between the insurgents in that country and General Haldiman—since known to have been something worse—and tell his readers, what was probably true, that the incursions from Canada were part of a system of co-operation with the renegade Green-mountain-boys for the overthrow of the State to which they were subject, in order, among other objects, that they might be released from their allegiance? The material concerning this was fifty-fold as plentiful as the five lines of possibilities concerning their connection with Arnold's treason, which he has displayed, in capital letters, on a full page of this volume: was there not as much money in the fact as in the fiction, that the former was rejected and the latter so eagerly taken, by this active manufacturer of American History?

We shall look for something better from the Bradford Club, in its next issue.

4. *The Popham Colony*. A discussion of its historical claims, with a Bibliography of the subject. Boston: Wiggin & Lunt, 1866. Octavo, pp. 72.

If History speaks truly, and we suppose she does, to some extent at least, in this instance, a Company was formed, in the early part of the Seventeenth Century, with the Chief-Justice of England at its head, for the purpose of colonizing what we now know as New England; that, for that purpose, a Charter was obtained from the King, in 1606; that, under the provisions of that Charter, a settlement was planted at Sagadahoc, in Maine, in the summer of 1607; that a Government was duly instituted there, a Church established, a fort built, and the mechanic arts employed; that, in 1608, in consequence of the death of their President, in America, and that of their Patron and chief supporter, in England, the colonists, without surrendering the Company's title to the territory or political rights, under the Charter, returned to England; and that, notwithstanding the temporary abandonment of the Colony, the legal *status* of the undertaking remained the same and was thus recognized, both by the British, French, and Dutch Governments, as the basis of the rights of the former, Westward from the Kennebec. She tells us, also, that, in 1807, the Bi-centennial Anniversary of this event was celebrated by one of Massachusetts' most honored divines—recently deceased—

and a party of gentlemen; and that, in 1862, the Maine Historical Society inaugurated a yearly festival in commemoration of the same interesting event—Hon. John A. Poor, Hon. George Folsom, Hon. E. E. Bourne, and Hon. Jas. W. Patterson, having successively acted as the Orators of the Day, as the Anniversary annually presented itself.

It seems, also, that in America there has long existed a certain vagabond knight-errant named MASSACHUSETTS, of whose exact origin there is less of evidence than of pretensions to gentility, and the quarterings of whose shield indicate anything but an honorable ancestry. He has been attended, from time to time, by various Squires, of different grades; and he has gallantly tilted, as he has travelled over the country, at divers objects, ranging from an inchoate idea to an unfinished and ungarrisoned granite fortress—which, also, was without an armament.

It seems, also, that among the last of the Sanchos of this venerable adventurer was one POOLE, a lineal descendant, it is evident, of the widely-known Pool of Bethesda, whose need of a periodical purification by the direct interposition of the Almighty, so great was its filthiness, is known to all our readers; and the two—the mounted vagabond and the dirty vagabond on foot—have recently seen in this North-Virginia Company of 1606 and its Colony at Sagadahoc, in the Histories which refer to them, and in the Orators who have honored their memory—to say nothing of all who have sympathized with those Orators or listened respectfully to their well-established recitals—fit objects against which to oppose their joint and several prowess.

Accordingly, after various preliminary movements which, we are told, are peculiar to such knight-errantry as that which is recognized by such as these, the valiant Squire imbibed deeply at Muddy Brook and proclaimed the phantom greatness of his attenuated Chief, and the homage which is gravely assumed to be due to him as the Champion of Liberty, the Avenger of Injured Innocence, the Defender of the Right, the world over—*whenever it will pay*. All this the Squire did, and more, in the *Boston Daily Advertiser* of the eleventh of April, 1866; as the Chinamen, before, had struck their gongs and told the British sailors that their Emperor was a near relation to the Sun and Moon, although the dirty dogs, without a single exception, knew that they lied, without qualification, when they said so.

The pamphlet before us opens with this grandiloquent display of Puritanic effrontery, in which we notice, here and there, the touches, as if to heighten the effect, of the master-spirit of the particular second-hand coterie in Boston of which Mr. Poole is the acknowledged organ; and we have been struck, while reading this per-



tion of its contents, with the evidence which it affords that, even in Boston, "Like produceth like."

Possessing the authorities and quoting from them, the author of this paper, nevertheless, studiously omitted those portions of those authorities which would have qualified the parts selected and used by him, or entirely overthrown his own and Massachusetts' pretensions; and as diligently he paraded the sentences and parts of sentences which, when severed from the contexts, sustained his own wicked purpose. The suppression of the truth, and the establishment in its stead of a falsehood, were evidently his only objects.

He talked of "*accepted facts of history*," as if a *fact* is not a *fact*, unless "*accepted*" in Massachusetts. He considered as only "*historical waggery*," what, to our personal knowledge, cost more patient research among the best material in existence, than he was ever known to bestow on any subject. He paraded before us, and told us he has "*diligently perused*," the various Addresses and scraps of newspaper controversy—the latter *probably* borrowed from Mr. J. Wingate Thornton, whose courtesy in lending those scraps, *not in Mr. Poole's collection*, the Publisher has acknowledged on page 4. He talked of "*the stern logic of truth*" as glibly as, five lines below, he told of the disinterested "*gracefulness*" with which Plymouth and Massachusetts Bay—amiable and law-abiding companions—were thus waiting to yield to Sagadahoc the honors which have been awarded to them, in history, for more than two hundred years. He told of the landing at Sagadahoc of what he gratuitously assumed to have been "*a colony of convicted felons*," in 1607, without telling us how it was that those same "*convicted felons*" returned to England—whence they must have been "*transported*," for England's good, a year before—without meeting an objection from any one, in 1608; and this silence is the more unaccountable when we remember that "*convicted felons*," escaping from a penal colony, have never found much favor, when discovered, either in England or America. He did *not* tell us, also, that those whom he styled "*convicted felons*" were led, personally, to Sagadahoc, by the brother of the Chief-justice of England—as much a "*Gentleman*" as John Winthrop was—and by two near kinsmen of Sir Walter Raleigh, one of them his nephew. Nor was it any more to his purpose to tell us that, with quite as much sincerity, doubtless, as was found at Plymouth or the Bay, the earliest acts of those "*convicted felons*," after their landing, were to choose the site for their settlement, to recognize the goodness of God by engaging in solemn worship of Him, and, lastly, to organize their Government, under the provisions of their Charter. He told of "*shocking barbarities*" committed among the

Indians by those "*convicted felons*" of Sagadahoc; but he did *not* tell of far more "*shocking barbarities*" practised among the same race, soon after, by the saints at Boston; nor did he pretend to introduce to "*the stern logic of truth*," even for comparison in barbarity with the setting of dogs on the Indians of Maine in order to drive them from the settlements, the official offer of rewards for the scalps of Indian babies, at Boston, and the official sale of Indian children and women, by the authorities at that place, as a source of Colonial revenue. He told, also, how naughty Frederic Kidder, "*a respectable Boston gentleman*," was, when he dared to read History through his own spectacles, and to tell what he had read, without asking the consent of those whose dirty work the Librarian of the Athenæum is always dirty enough to father, in the absence of anything more legitimate; and he dared to insinuate, what he dared not say, that that gentleman had misrepresented the truth. He brought against Mr. Poor's statements only a slur on the portliness of that gentleman's person—in the absence of a better argument or a more authentic authority—and he pettifogs, as only such as he can pettifog, concerning the little thirty-ton vessel in which a portion of the colonists "*ymbarked and sett saile for England*," when, in 1608, "*they ALL*" thus "*ymbarked*" and "*sett saile*." He tells us that he "*knew*" "*that the Popham colonists were knaves*"—under the old rule that "*It takes a rogue to catch a rogue*," we suppose—but he did *not* "*know*," although he said such was the case, that the *Mary and John* had brought "*more than eighty*" persons to America, when, the year before, she was only subordinate to the *Gift of God*, and both, together, only brought a hundred and twenty; and he does *not* "*know*" any more concerning the capacity of the former, than of the material of which "*the newe pynace*" was built, or of the propriety of calling the *Virginia* "*the newe pynace*," in order to distinguish her from the *old one*.

The entire production is in keeping with others which have been issued, from time to time, by this second-hand coterie of ambitious, but disappointed Bostonians to whom we have referred, and whose graceless productions have found frequent utterance through the Beacon street "*pool*," over the signature "*P.*" Failing to find resting-places for their feet, or pegs for their hats, in the historical Mecca adjoining the King's-chapel-yard as well as in that which is in Beacon-street, except as serving men or "*sponges*," the members of this clique ambitiously endeavor to imitate what their ignorance leads them to suppose is the spirit of those whom they serve; but with the characteristic nothingness of their class, they have succeeded only, so far, in copying the vices



of their superiors, in unwittingly proving their incapacity to become gentlemen, and in making patent to every observer that they are nothing but the meanest of flunkeys.

To this outburst of what has been called "his-toric brass," in Boston, the Rev. Dr. Ballard of Brunswick, Me., unnecessarily responded, in a tone and spirit which reflected the highest credit on his patience as well as his abilities.

He repelled the idea that "smiles," alone, should be employed as rejoinders, when attempts are made "at smiling away historical verities;" and he brought down on the rim of the stagnant "pool" in Beacon-street, the weight of "facts" and the necessity of stating them, as a basis of a "theory," even of "the false theory of the believers in the Popham Colony." He then told, what the other had suppressed, the *facts* involved in the controversy; and he accepted the issue presented by those *facts*, if there is such an issue, and offered to give evidence of the entire subject, "in all its dimensions," as became a gentleman and a scholar. He defended the colonists from the Boston charge of "felony," by showing that others besides "convicted felons" were, at that time "endangered by the law" of James I.; and while he admitted that many of them were poor, and "endangered" by the existing Statutes against vagrancy, he insisted that they were guiltless before the law, as "felons"—much more so as "convicted felons;"—and their return to England, after a few months absence, without fear and without objection from the authorities in England, fully proves the correctness of his conclusions. He next disproved the Boston stories about "the shocking barbarities" among the Indians; and he then told Mr. Poole, what the latter seemed to have unknown before, that "formal acts" "of taking possession" under the Charter, "recorded" on the minutes of the Colony, signed by "John Scammon, Secretary," were different in their character and political importance from "the 'works' performed by the daily 'toils of the laborers, in trenching, fortifying, 'building the storehouse and church and the 'pretty pynnae.'" He also noticed the fact that since "all" the colonists "embarked" in the *Mary and John* and "the new pynnae," and "sett saile for England," and duly arrived there, there is no foundation in fact for the unsupported Boston story that many of them were afraid to return and thenceforth led "a wild and free life" in America. He closed with a brief notice of the Boston *soubriquet* of "hangman," applied to Chief-justice Popham; and, with strange quaintness, he brought the author of *Ancient Pemaquid*, as a voucher for the character of the great leader of the "convicted felons," at the settlement of Sagadahoc.

Mr. Kidder followed, with a very brief, but

very significant letter, in which "the language, 'style, and logic" employed by the Beacon-street coterie were aptly said to be "as far removed 'from the 'pure well of English undefiled' as a 'pool of stagnant water is from a perennial fountain."

The vagabond knight and his dirty Sancho seem to have been so far confounded by the opposition which they thus encountered that forty days were required by them to "catch the 'breath" that was knocked out of their worthless carcasses; and then, gasping for existence, they commenced by jointly and severally calling out that they were only joking—"our object in 'noticing the Address was not controversy," are their words; and "we have doubted the propriety of making a rejoinder."

Finding no one, however, within sound of their whining apologies, to dispute their pretensions to humility, the downward current of their cowardice was suddenly arrested; and they next ventured, tremblingly, to raise their heads, and then, so far had the Doctor and Mr. Kidder apparently retired from the contest, they were encouraged to blow their horn again.

Their next performance was a denunciation of some "theory,"—what that theory is they did not say—as "the most absurd and baseless ever 'addressed to the human understanding;" and upwards of a page of sarcastic allusions was devoted to Rev. Dr. Ballard and the Maine Historical Society, and to their efforts to elucidate this most notable point in the history of that State. Next came an extract from Lord Bacon, the corrupt Chancellor, to prove that the Colony at Sagadahoc was composed of "the Scumme of 'People, and Wicked and Condemned Men," although "we" probably knew that to that Colony the learned Chancellor really had no reference. "We" then slurred over the religious services of the Churchmen at Sagadahoc, as the Fathers at Boston slurred over those of the brothers Brown, of that town, at a later period, and, probably, for the same reason—because, as Anne Hutchinson said of those Boston fathers, they were under a "Covenant of Works" and so far "under" it that the saving Grace of God had not yet discovered them. The small extent of country occupied by the colonists, during their wintry stay at Sagadahoc, and the well-sustained averment that the North Virginia Charter of 1606 and the settlement under its provisions, in 1607, had proved themselves barriers to French supremacy on the sea-board, afford amusement to the "we" of Beacon-street; while the death of *one-half* of the starvelings at Plymouth, without producing an abandonment of the undertaking, seems to have inspired this coterie with fresh courage, in view of the fact that the loss of *two-thirds* of the settlement at Sagadahoc, including

its President and its Patron, was followed by the return of the handful who remained to their native country. Sir John Popham next received their dirty attention; and Lord Campbell, Fuller, Aubrey, Lloyd, Wood, Foss, and Macaulay, were pressed into their service and forced to give *ex parte* testimony to fit the Massachusetts plan. The character of the Colonists, as assumed "convicted felons," next arrested the attention of the valorous Squire of Boston; and he flatly acknowledged his ignorance of the legal effect, as continued occupations, under the Crown of Great Britain, of the Church Colony at Sagadahoc, in 1607, and of those at Pemaquid, in 1608, at Mount Desert, in 1613, at Saco, in 1617, at Monaghan, in 1618, at Plymouth, in 1620, etc.; yet he recklessly rushed on, in his ignorance, and ignorantly discussed the question. He next told of Gosnold's settlement at Cuttyhunk, in 1602; and, like another quack, used that as a counter-irritant, very much to the prejudice of his own patient. He told, also, what we do not believe, that Ex-governor Washburne had promised to believe that Noah landed in New England, and to make a speech to sustain the pretence, if it shall be asserted, and a *cold collation*, such as they had at Fort Popham in 1862, *shall be guaranteed to him*—that was evidently a slur on Mr. Washburne, which none but an envious one would have dared to indulge in—and, while on the subject of Noah, Mr. Poole gravely paraded the beastliness of that drunken old man, and told his readers that it was "*excusable* on the ground that there was then no "Maine Law," or even a "judicious license system." He told nothing new, however, concerning the outrages committed against the Indians, either in Maine or Massachusetts; although he did tell something new concerning Mr. Poor, when he said that gentleman "is not amenable to the common code of literary and historical criticism." He talked of the death and burial of the Popham Colony; of the disinterment of its "sickening remains" by "a few excellent people of Maine;" of "the putrid mass" which was discovered; etc., as only a scavenger could have talked; and he closed with a final flourish of trumpets and a new Proclamation of the phantom glories of the happy family of the Massachusetts.

Doctor Ballard followed in a dignified article, successively reciting the falsehoods of Mr. Poole and exposing their character; and Mr. Kidder, in a *Running Review*, closed the discussion, and "replaced the sod" over "the putrid mass" of Boston's corruption, which was so rashly exposed by the arrogance of those who write over the initial of Mr. Poole.

The Knight, and his Sancho, and the other portionless retainers of the house of Massachusetts, have not troubled Sagadahoc since the

date of Mr. Kidder's last visitation. They have wisely kept clear of the quaker-fort Popham, and of those intelligent gentlemen who so gallantly sustained the honor of the first settlers of Maine. They now busy themselves in the equally appropriate and not more successful occupation of endeavoring, by systematic impudence and falsehood, to silence THE HISTORICAL MAGAZINE, and those who contribute to it.

Taken as a whole, this pamphlet is a notable one, inasmuch as it exposes the arrogance, and pretensions, and capacity to imitate, of the second-hand coterie, whose headquarters are in the Librarian's room at the Athenæum, in Boston.

It is true that there is not a Sparks, nor a Ticknor, nor an Everett, nor a Winthrop, nor a Palfrey, nor a Parsons, in the ambitious party; yet it assumes to be as learned and as eloquent as any of these; and "the way of putting things," which has rendered some of its superiors so untrustworthily as Historical writers, is almost the only trait of character which is held in common by them. Like the inevitable Count, the members of this coterie bravely display what they call the certificates of "honors awarded, in history, to Plymouth and Massachusetts Bay, for more than two hundred years;" unfortunately for those "honors," the claimants, like the Count, are known to be only common barrators; and their certificates, like his, are as worthless before the world as are those who present them.

The edition of this pamphlet numbered three hundred copies.

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5. *History of the United States, from the Discovery of the American Continent.* By George Bancroft. Vol. IX. Boston: Little, Brown & Co., 1866. Octavo, pp. 506.

In our November number, we paid a passing attention to this volume; and we propose to devote to it a few lines additional, in this place. The volume opens with a political survey of the Continent; and to that particular portion of Mr. Bancroft's subject it seems proper, therefore, we should confine our remarks, in this notice.

The first, and most significant, feature which we notice in Mr. Bancroft's remarks concerning the political events in America, from July 4, 1776, until April, 1778, with which he opens, is the entire absence of harmony in his narrative—we had almost said the entire confusion which prevails throughout this volume—concerning the status of the thirteen newly-enthroned Sovereignities on the sea-board of the Continent.

Thus, on page 31, while speaking of what he is pleased to term "the people of the United States," he says, "As the *youthful* NATION took its seat among the powers of the earth, its *de-sire* was no longer for the restoration of the *past*," etc.; yet no one knows better than he, that at the date referred to in his margin—



"July, 1776"—*there was no such "People" as that named by him; nor such a body, of whatever complexion, as "the United States."*

The Colonies, as every student knows, were as independent, one from the other, as are France and Russia; and, although a "Congress" was held—the meaning of that phrase being significant of the character of those who composed it, and of those who were represented therein—there was no more consolidation of those Colonies into one "People," or one "youthful nation," than there was in Europe, when England, France, and Turkey co-operated, in the Crimea, in their common hostility to Russia. They did not pretend to be a "People;" they did not assume to be a "youthful Nation;" they never assumed, until the first of March, 1781, an aggregate title, even as a Confederation of separate and independent States. They *separately* acted, or *separately* "withdrew from the question;" they declared their Independence as *separate*, but "united States," each by its own Delegation; and they thus bore testimony, before God and man, *against* that very system of centralization and consolidation which their transformation from *thirteen* Peoples into one "People," from *thirteen* Colonies into one "youthful Nation," would have inevitably plunged them.

We say that no one knows this fact, notwithstanding his averments to the contrary, better than Mr. Bancroft; and we say so, not only because he is a student, but because, notwithstanding on page 31 he makes the entire body of Rebellious Colonies a "People of the United States" and a "youthful Nation," he tells, on page 37, under the same date, that "*Thirteen* States had risen up, free from foreign influence, *to create their own civil institutions*, and join *together as one*"—as if a "State," and a "People," and a "Nation" are not synonymous technical terms; and regardless of the fact that "*thirteen*" are more than *one*; "*the People*" and "*the young Nation*," being his words on page 31.

But this is not all. The "*Thirteen* States," of which he told us on page 37, were not even *united*, it seems, at the date referred to—"Union was *the need of America*," he tells us on page 46; and, on page 47, he says "The main hindrance *to a strong confederation*," [and, therefore, a *stronger to consolidation*] "was the innate unwillingness of the *separate States* to give up *power, combined with a jealousy of establishing it in other hands than their own*." He also modestly enters into an elaborate argument (page 47) to show how much more he knows concerning "the wants of the country," at that time, than did the members of that Congress, "not one single statesman of whom fully comprehended the subject," he says; and on page 48, among other things, he adds, truly, yet incon-

sistently, "*Each one of the Colonies connected its 'idea of freedom and safety with the exclusive 'privilege of managing its internal policy; and 'they delighted to keep fresh the proud memories of repeated victories won over the persistent 'attempt of the agents of a supreme power, 'which was external to themselves, to impose 'restrictions on their domestic autonomy.'*" What a great "youthful Nation" that must have been; and how cunning the little fellow was, when, under such questionable circumstances, he took that "seat among the powers of the 'earth," referred to already, and quoted from page 31.

But the end of the muddle is not yet. What was a "*People of the United States*" and a "*youthful Nation*," on page 31, and *entirely separate States*—being neither consolidated nor confederated—on pages 37, 46, and 47, suddenly reappears as a "*Confederacy*" on pages 49, 50, 53, and 54,—all under date of "July, 1776"—and as suddenly that "Confederation" disappears again, on "Aug. 2, 1776"—"on the next 'day," are the words, "the members of Congress, having no army but a transient one, no 'CONFEDERATION, no treasury, no supplies of 'materials for war, signed the Declaration of 'Independence"—why he did not say the *amended* "Declaration," which was true, is significant in this connection—"which had been 'engrossed on parchment." Indeed, so far had his quondam "Confederacy" disappeared from his vision, when he reached page 60, that he turns the little joker up again, as a "*People*" and a "*Nation*;" and he tells us, confidentially, on page 61, that "*a Nation* without a compacted 'union," was then the true character of the concern; although he staggers on page 112, when he quotes, without dissent, the Resolution of the Congress which declared that the States were, severally, both "free and independent."

We have room for no more of this; yet we have seen the same confusion prevailing throughout the last four hundred pages, that we have referred to as so unpleasantly prominent, in the first forty, of the volume. It stares us in the face on every page; and we involuntarily ask ourselves, if Mr. Bancroft had not determined, to his own satisfaction, at least, the character and relations to each other, in July, 1776, of "the thirteen United States of America"—whether they were *separate*, unconfederated bodies-politic or States; or a consolidated "*People*," forming one "*Nation*;" or a "*Confederacy*" of "*thirteen States*"—why he did not defer the publication of the ninth volume of his *History* until that great, fundamental question had been satisfactorily solved. He would then have been enabled to write three successive pages without exposing himself to this unpleasant censure; and



the world would have had less reason to fear than it now has, that he is incompetent to discharge, properly, the grave duty which he has undertaken.

It may seem unbecoming in THE HISTORICAL MAGAZINE, if it shall presume to teach Mr. Bancroft such a primary lesson of American history as that over which he has thus so shamefully stammered, contradicting with one breath what he had told, syllabically, with the last; yet we see no way to avoid it. It is this:

There was no formal alliance, or confederation, or union, of the Colonies—there was not even a good understanding between them—until the first of March, 1781; and any words which would convey to the reader an opposite or different idea, are simply falsehoods. The only bond of union between the Colonies, prior to their Declaration of Independence, was *sympathy*: the controlling portion of the inhabitants of each were fraternized Rebels, equally obnoxious to the Law of the Land, as Traitors to their legal Sovereign, and holding, in common, a well-settled conviction that unless they hung together, in resistance, they would hang separately, as convicts.

When these Colonies, thus unconfederated and unconsolidated, assumed the responsibilities of Revolution, each acted for itself, through its own particular representatives, in a Congress—the very name of which indicates a formal assembly of the diplomatic representatives of several *distinct* Governments, to concert measures of common interest—and through those several separate Delegations, acting under special instructions from the Governments whom they respectively represented, the Colonies, *voting as such*, did, or declined to do, in the premises, whatever they severally considered expedient.

There was not a man alive who, then, would have called these revolted Colonies a "Nation;" that would have presupposed a successful consolidation of the thirteen into one body, which the wildest Radical among them would have ridiculed; and the discord, and distrust, and jealousies of each other which prevailed, the Continent over, too clearly indicated that that generation would never become one "People," if, indeed, they would ever become so far homogeneous as to become a "Confederacy."

This was their condition when the scheme of Independence was set afloat by one of the Colonies, and subsequently approved or acquiesced in by eleven others; and thus they were, on the fourth of July, 1776, when the twelve—one of the thirteen non-concurring—each for itself, declared their Independence of the crown to which they legally owed allegiance.

Had that "youthful Nation," which Mr. Bancroft's fancy led him to write of, as skipping into the midst of the venerable dames who then

composed what was known as Christendom, then existed in fact, the vote on that question of Independence would have been taken, as questions were taken in the House of Commons and other National assemblies, by *individuals*, and the vote of the majority would have bound the minority. As it was, there was then no such "Nation," either young or old, in America, and the vote was necessarily taken by Delegations representing separate Governments, in the name of those Governments; and none were bound except by their own consent, voluntarily given and recorded as the votes of such Governments.

Again: Had there then been a "Confederacy," as Mr. Bancroft sometimes pretends, although the votes had been taken by Governments, the minority would have been bound by the will of the greater number and stronger members; and New York need have taken no such trouble as to "withdraw from the question," in the Congress, in order to avoid the adverse "Instructions" of that Government which her Delegation had not the authority to disregard; and, in that case, she need not have voted her own Independence, directly, by her local authorities, sitting at the White Plains, five days after. Her discord would have been as nothing in that great "National" anthem, had such an anthem been really chanted; but, where each acted separately and for itself, legally binding none but itself, as was the case in that Congress, the non-concurrence of New York, and the division of Delaware, and the negatives of South Carolina and Pennsylvania, were potential to so great a degree that the majority was powerless against them; and none but the non-concurring States, each for itself, could apply the remedy.

There was no "Nation," or "People," or "Confederacy," in America, in "July, 1776;" and Mr. Bancroft's ignorance or forgetfulness of that fact betrays his unfitness for the task which he has undertaken.

But, it may be said, although this may have been true before the Declaration, the disunited Colonies by that act became a "People" or "Nation"—the theory of John Adams and others, many years after.

If this is true, Mr. Bancroft is equally unfortunate, since the Colonies could not then have been *united*, but consolidated; and his pretended "Confederacy" is, therefore, as much a fiction as was his "youthful Nation"—a "Nation" may be a member of a "Confederacy"; but it cannot be, itself, the "Confederacy" any more than one man can, solely in his own person, constitute a partnership of thirteen members.

That this was the view of the Congress itself is evident in the fact that after New York had joined the twelve, in their scheme of Independence, the original Declaration of Independence

was altered and amended to suit the new order of things; (*Journal of the Congress*, Friday, July 19, 1776) and the manuscript Instrument, or Declaration, thus amended, engrossed, and signed, tells more forcibly than we can how gravely Mr. Bancroft has misrepresented the truth, in his eagerness to be eloquent.

"IN CONGRESS, JULY 4, 1776.

**"The unanimous Declaration  
of the thirteen united States of Amer-  
ica,"**

was the ominous caption of the instrument; and the following is the "Declaration" *in extenso*:

**"We, therefore, the REPRESENTA-  
TIVES of the united States of Amer-  
ica, IN GENERAL CONGRESS, Assembled, ap-  
pealing to the Supreme Judge of the world for  
the rectitude of our intentions, DO, in the Name  
and by Authority of the Good People of these\*  
Colonies, Solemnly PUBLISH and declare, That  
these\* United Colonies are, and of Right  
ought to be Free and Independent  
States;\* that they\* are absolved from all  
Allegiance to the British Crown, and that all  
political connection between them\* and the  
State of Great Britain, is and ought to be to-  
tally dissolved; and that as Free and Inde-  
pendent States,\* they\* have full Power to  
levy War, conclude Peace, contract Alliances,  
establish Commerce, and to do all other Acts and  
Things which INDEPENDENT STATES\* may of  
right do."**

This simple, straightforward paper, telling its own story, is not more significant of Mr. Bancroft's incorrectness than are other official papers of that period.

When, on the fifth of July, John Hancock, as President of the Congress, communicated the fact of the Declaration of Independence to the Revolutionary authorities of Pennsylvania, he had no idea of the existence of any "youthful Nation," nor even of any such consolidated body, in any form, as "the United States." Indeed, he so far exposed the ignorance on that subject which Mr. Bancroft unkindly twits the Congress of, on page 47 of this volume, that he said, "The American States being now forever divided from those who wished to destroy them, it has become absolutely necessary, for THEIR security and happiness, to adopt some Government of THEIR own." On the fifth of July, he sent a copy of the Declaration to the Revolutionary—rebel, if you please,—authorities of New Jersey, and, on

the eighth of July, to those of North Carolina, in both of which "the American States" are again referred to; and, if Mr. Bancroft will take the trouble to examine them, the credentials of our Ambassadors to France, who entered into the Treaty with the King of the French, as well as the Treaty itself, will indicate that at a much later date, each State was *separately* considered as a legally unallied party sole, in the negotiations, and separately named, as such, in the documents and in the Treaty.

There was, then, no such "youthful Nation," no such "People of the United States," no such "United States," no such "Confederacy," in "July, 1776," as Mr. Bancroft has created and sent out; and we leave the subject, *our first lesson*, for his future guidance.

But we will return to Mr. Bancroft's volume.

On page 32, the author says, "The congress of that state," [*New Jersey*] "published simultaneously" [*on the eighth of July*] "at Trenton, the declaration of independence and their own new constitution." He does not intimate, however, that that "new Constitution" of New Jersey had been already established at Burlington, on the second of the month, not only before the Declaration had been received but before the Independence had been voted.

We are not insensible of the fact that a more perfect statement of the whole truth of this matter would have seriously interfered with Mr. Bancroft's theory of the nothingness of New Jersey and the "nationality" of "the United States," in "July, 1776." But we cannot think that that was the cause which prompted the omission of which we complain. The omission and its effect, however, are singularly unfortunate, in view of the charges recently made against his integrity as a historian.

On pages 33 and 34, we have a picture of the Provincial Congress of New York, as it had assembled at the old Court-house of this County, at the White Plains, on the morning of the ninth of July, 1776; and a similar of the situation of this State, at that moment, as the doomed object of the enemy's vengeance and—although not referred to by Mr. Bancroft—of rescued New England's contemptuous neglect—the latter a subject which had called forth, two days before, an earnest appeal to "our people" of New England by John Adams.

In those pictures, however, Mr. Bancroft portrays none of the adverse elements, within the Congress, which had so much retarded the Revolution in that Colony, and compelled it to remain an acknowledged Province of Great Britain, for seven days after the other twelve Colonies had voted their own Independence; nor does he tell us anything of that sudden transformation of Jay, when he could no longer serve the Royal

\* Thus, in the plural number, in the original.—H. B. D.

† These Italics are his own.—H. B. D.



cause, into an angel of Liberty—as Ben Butler has been, more recently, when he could profitably serve Jefferson Davis no longer, as a candidate for the Presidency.

He has told us, however, what will be news to many besides us, that by the assent of the Provincial Congress of New York, given on that day, to the Declaration of Independence, “the union “of the old thirteen colonies was consummated;” (p. 34) and if we may judge of what he says on page 46—“Union was the need of America,” on the twelfth of the same month, how much longer we will not inquire—the tidings of that “consummation,” on the ninth, will, also, be news to himself.

Now, this pretended “consummation” of the Union, at the White Plains, on the ninth of July, 1776, would do very well in an acknowledged romance; but we protest against it in a *HISTORY of the United States*; and we insist that Mr. Bancroft shall tell the truth—that there was no “consummation” of the “union of the old “thirteen colonies,” until the first of March, 1781—when he shall undertake, the next time, to speak of the subject.

On page 37, Mr. Bancroft tells his readers that “Independence had sprung from the instructions of the people; it was now accepted “and conformed as their own work in cities and “villages, in town meetings and legislatures, in “the camp and in the training field.”

This, also, is very pretty as rhetoric; but it is very faulty as History.

If Mr. Bancroft knew the truth of the subject, he ought to have said that Independence had sprung up in the discontents of the wealthier *non-office holding* classes in the Colonies and in their General Assemblies, wherein the great body of the laboring poor was entirely unrepresented and uncared for; that it had originated and been nurtured in the specific Instructions of the most discontented and ambitious of those wealthy ones, expressed through their Assemblies and Provincial Congresses, without consulting or paying any regard to the interests and wishes of their poorer and unrepresented neighbors, tenants, and servants; and that it was Ratified by those representative bodies, often in the face and in the midst of a heavily opposing sentiment, at the same time that it was applauded in packed town meetings and cheered in the camp, by those whose views on the subject, prior to the Declaration, had been neither solicited nor cared for; by those whose tax-paying and fighting co-operation was then courted, even while their manhood and citizenship were haughtily and disdainfully denied. If he did not know these truths, he should have learned them before he undertook to write about them.

But this is not all that we have to say concerning this sentence.

What living man, knowing nothing of the subject except what this sentence teaches him, would lay down the volume and know, from its record alone, that the Governments *de facto* of the several revolted Colonies had separately considered the subject of Independence, and separately Instructed their particular Delegations in the Congress in what manner they should act on it; that the several Delegations in the Congress had acted agreeably to those Instructions; that the action of the Congress was communicated, *for information only, not for “confirmation,”* to the different armies in the field; that the duty of “confirmation” of that action did not devolve on, nor was it assumed, by “town-meetings” or mass-meetings, anywhere, but on the Governments of the several States; that only the Revolutionary authorities in those States—not the great body of their inhabitants, nor even their “People”—ever ratified that action of the Congress; and that, even in those Revolutionary bodies, the great mass of the working-men of the State—the “People” of to-day—was not in the slightest degree represented? We venture nothing in saying that not one in five thousand would ever suspect such things, under the circumstances thus presented by Mr. Bancroft; yet these are the truths which he has thus concealed under the words which we have quoted—how improperly, we need not say.

We hold that the first duty of the Historian is to ascertain the Truth; the next is, to tell it, faithfully.

On page 41, Mr. Bancroft tells of the amendment of the Declaration of Independence, after the accession of New York to that Declaration, which we have already noticed; but he is silent concerning the reason which led to this action, and *he actually misquotes* the amendment, rendering the whole subject, in its bearings against his own muddy theory, entirely without meaning to the general reader.

The fact is too patent to be concealed, however, that if Mr. Bancroft had quoted the amendment correctly—“THE UNANIMOUS DECLARATION of “the thirteen united STATES OF AMERICA,” instead of “the unanimous declaration of the thirteen UNITED STATES OF AMERICA,” as he has printed it—his readers would have seen that, in that Declaration, the word “united” was only an adjective qualifying the plural noun “STATES;” and that the Historian, in telling of a “youthful “Nation,” of a “People of the United States,” and of other representatives of Consolidation and Centralization, was following either a fertile imagination or his partizan bias, certainly not the authorities on which only a faithful Historian would have relied.

The second chapter of the volume is taken up with a consideration, if we may believe its head-



line of the "*Confederation; Signing the Declaration*;" yet it opens with an elaborate story on the exchange of prisoners-of-war—a subject which we shall look at, by-and-by, when we shall take up the ideas of Mr. Bancroft on the Military history of the United States.

He tells (p. 47) that "the innate unwillingness of the *separate* States to *give up* power," was a "hindrance to a strong *confederation*" of that wonderful, "youthful *Nation*" which had already "taken its seat among the powers of the earth," if we may believe his story, earlier in the volume (p. 31); but he does *not* tell us how the States could be "*separate*," and yet, at the same time, form, in the aggregate, a consolidated "youthful *Nation*;" nor does he let us know by what process they could be thus "innately unwilling" to centralize power, which they possessed and would not "give up;" while, at the same time, they were already consolidated into a compact "*Nation*," wherein, necessarily, all political power rested above them, in the will of the ruling sovereign.

He tells us, (p. 47) of the ignorance of "the *people*" of that day, concerning "the wisdom necessary for regenerating its Government;" of the "precise" intimacy of that "*people*," notwithstanding that ignorance, with the "details" of "the Dutch and Swiss confederacies;" and that, so dense was that ignorance, even among the better classes, that "*there was not in Congress [that of 1776] one single statesman who fully comprehended the want of the country.*"

What a pity Mr. Bancroft had not then lived. What an admirable opportunity he would have had, in Philadelphia, as a school-master; and how merciful it would have been in an all-wise Providence, to have turned his great political abilities in that direction rather than in this, of a Historian of the United States.

He tells us, on pages 48 and 49, of the continued struggles, "for more than a century, and even from the foundation of the settlements," which had been carried on between the Crown and the Colonists—the former seeking to centralize and control, the latter to retain within themselves and to wield, the military resources and revenues of the latter; of the substitution, in July, 1776, of "the *Confederacy*" "in the place of the Crown, as the central authority;" and of the lamentable absence of every one, with sufficient ability to "explain the distinction between a Sovereignty wielded by an hereditary King in another hemisphere, and a superior power which should be the chosen expression of the will and reason of the *Nation*."

He does *not* tell us, however, where he finds the "*Confederacy*," in July, 1776, which he fixes in the place of the displaced King; nor does he tell us in what way he conceives the place of a King, claiming to have been the seat of all political power and the source of all political honor and

authority, the Continent over, could have been filled, even comparatively, by any "*Confederacy*" or other body, which was merely a creature of another and superior body, somewhere else, and possessing neither powers, nor authority, nor honors, except those which had been delegated to it, for specific purposes, and to be used only vicariously.

He epitomizes, in half a dozen pages, the debates by the different Delegates, of the features of the proposed Confederation; and, on page 57, he unwittingly exposes the real bond of union existing between the thirteen "Free and Independent States," which he, in his superior wisdom, considered as transforming them into, alternately, a "youthful *Nation*" and a "*Confederacy*"—he says the union was "constituted by the Instructions under which the Delegates of the several Colonies were assembled, held together by the necessities of war." What a remarkable corner-stone these Instructions and "necessities" would have made, in themselves, for either a "*Nation*" or a "*Confederation*!" What a master-mind that is, that which has selected them for that purpose, even in a fiction!! What fertility of resources must he have controlled who has constructed such a body, even on paper, from such a small supply of poor material!!!

The chapter closes with these remarkable words—remarkable because they have proceeded from the brain of the leading Historian of our country, and are called History: "American independence was the work not of one, or a few, but of *all*; and was *ratified* not by *Congress* *only*, but by the instincts and intuitions of the nation; just as the sunny smile of the ocean comes from every one of its million waves. The courageous and unselfish enthusiasm of the people was an inexhaustible storehouse of means for supporting its life; the boundlessness of the country formed its natural defence; and the self-asserting individuality of every State and of every citizen, though it forbade the organization of an efficient Government, with Executive unity, imposed upon Great Britain the impossible task of conquering them one by one."

Had Mr. Bancroft ever heard of the "loyalists" in America, when he said "American independence was the work of *all*?" We should like to know, also, what Mr. Bancroft's claims are, to be considered a republican rather than a monarchist, while he pretends that the Independence which had originated among the people (p. 37) needed to be "*ratified*" by the Congress, (p. 60) before it became effective.

We dismiss the subject, however, for the present; but shall resume the consideration of it, commencing with the third chapter, at our earliest convenience.

THE  
HISTORICAL MAGAZINE.

Vol. I. SECOND SERIES.]

APRIL, 1867.

[No. 4.

I.—THE ADMINISTRATION OF HISTORICAL SOCIETIES.

The purpose of Historical Societies and their true, fiduciary relation to the public, seem, occasionally, to be imperfectly understood, and a brief consideration of their nature and duties may be deemed appropriate to our pages.

The primary and legitimate thought is to collect and preserve materials tending to illustrate general history, the history of our country, especially our State and local history; and these materials, consisting of books, manuscripts, pictures, curiosities, and relics, constitute their libraries and occupy their cabinets. For this sole purpose they are organized, and under this profession they solicit and receive such treasure.

But mere accumulation is frivolous and idle in the extreme; if this is all, the collections are but hoards of rubbish, and possession a mere inanity, narrow, useless, and pitiable, akin to the touch of the crazed son of Mammon fumbling his pile of gold.

Historical Societies receive these contributions under an express and an implied obligation to *hold* them for the public, not merely as owners, or in the exclusive spirit of monopolists, but as *in trust*, for the public, and to be used by the public, with as much freedom and as little restraint and limitation as safety requires. Now in just so far as the trustee hinders this free use, hampers it with absurd and dilatory, time-consuming, annoying and provoking "regulations," and administers the trust with manifest reluctance, and in a how-not-to-do-it spirit, as if the student who applies for a copy of a manuscript or a rare pamphlet, were an intruder, a violator of prescriptive right, a literary pirate, is it not to that extent a violation of the design and spirit of the more generous and high-minded founders, and a recreancy to the terms and conditions of the trust?

The end *they* sought was to *diffuse* knowledge, by opening their historic and antiquarian accumulations with a free, generous, and welcoming hand to every student, without parliamentary

delays, and references and cross references to different Committees who may meet a week or weeks hence, for time is of great value to *working* men—so that the records of the past being scanned by many eyes, weighed by opposing judgments, and passed through the alembic of different minds, *Truth* should be enshrined within their sanctuary.

H. B. D.

MORRISANIA, March, 1867.

II.—THE MARCH OF EMPIRE—PROGRESS OF TYPOGRAPHY WESTWARD.

BY HENRY O'RIELLY, ESQ.\*

A plain, old-fashioned book that "speaks volumes" concerning the progress of the Press in the West, was lately added to the Library of the New York Historical Society—the volume and its Printer being named in the following acknowledgment:

"The New York Historical Society have received POLITICAL ESSAYS—A Series of Letters addressed to the People of the United States—by Timothy Pickering, late a Senator in Congress—(12mo, Canandaigua: 1812)—The first bound book published west of Utica:—a gift from the family of James D. Bemis, the publisher, (deceased,) through Henry O'Reilly, Esq., with an explanatory letter, submitted to the Society: for which I have the honor to return their grateful acknowledgment.

"GEORGE H. MOORE, Sec."

The explanatory letter, embodying some reminiscences of the early Western Press, was as follows:

"A few Remarks concerning James D. Bemis, the patriarchal Editor of Western New York,

\* Many of our readers will be pleased to learn that this veteran Editor, Historian, and Telegraphist will continue, from time to time, to furnish articles for their instruction, through the pages of this work.—ED. HIST. MAG.



"accompanied by the presentation of a copy of  
"the 'first bound book' printed between Seneca  
"Lake and the Pacific Ocean.

"To the HON. LUTHER BRADISH,  
"President of the New York Historical  
"Society.

"DEAR SIR:—

"Unable to be present at the next meeting, I  
"respectfully transmit to you, for presentation to  
"the New York Historical Society, a volume  
"which marks several important points in con-  
"nection with Public History and individual en-  
"terprise. A few words may be added, explana-  
"tory of the circumstances under which this  
"book is now offered for preservation in the  
"Archives of the Institution.

"Nearly twenty years ago, the then Patriarch  
"of the Western Press, JAMES D. BEMIS, the vet-  
"eran editor of the *Canandaigua Repository*, pre-  
"sented me with a volume entitled *Political*  
"*Essays*, containing 'A series of letters ad-  
"dressed to the People of the United States by  
"Timothy Pickering, late a Senator in Con-  
"gress.' An inscription in the handwriting of  
"Mr. Bemis ran thus: 'This Volume was the  
"first bound book printed in Western New-  
"York: Presented by the printer to Henry  
"O'Reilly.'

"As at the date of the publication—the year  
"1812—there was no book printer west of Can-  
"andaigua in the same latitude, it might have  
"been added that it was a copy of the 'first  
"bound book' printed between Seneca Lake and  
"the Pacific Ocean.

"On the death of Mr. Bemis last Autumn, I  
"determined to present this volume to the New  
"York Historical Society, as a memento of the  
"Pioneer Printer and Editor of Western New-  
"York, and as a memorial of important histori-  
"cal and typographical interest; unless another  
"copy of the same edition could be furnished by  
"his family for the purpose.

"Having apprized the family of my intention,  
"the only remaining copy of the same edition,  
"taken from the Library of the lamented dead,  
"was transmitted to me by Col. George W. Be-  
"mis, of Canandaigua—the representative of the  
"family. In binding and appearance, it is a fac-  
"simile of the book formerly presented to me,  
"with the venerable printed autograph certi-  
"ficate of authenticity. (It may be remarked that  
"the phraseology of the certificate would be more  
"accurate, if it spoke of the volume as a copy of  
"the first edition of a 'bound book printed in  
"Western New York.' And the explanation is  
"necessary to prevent confusion from there being

"more than one volume denominated the 'first  
"book' issued in that region.)

"This volume is also worthy of notice as an  
"evidence of the political controversies that con-  
"vulsed our country, including even the frontier  
"settlements, in what are sometimes styled the  
"better days' of the American Confederacy. It  
"is a sad index of the recklessness of partizan  
"strife nearly half a century ago, that this pion-  
"eer book from the press of Western New  
"York, abounds with denunciations against the  
"Democratic Party headed by Jefferson and  
"Madison, for alleged subservience to the dicta-  
"tion (if not the bribery) of the First Napoleon,  
"and reeks with anathemas against John Quincy  
"Adams, for deserting his Federal friends and  
"for joining the Democratic party, which then  
"controlled the political 'loaves and fishes' of the  
"general Government. Some of the Congress-  
"men in those days and in later times may have  
"deserved denunciation for corruption, through  
"gold or patronage—and this book notices a re-  
"port that certain measures friendly to 'French  
"Interests' were bribed through Congress even  
"in those 'good old times' nearly fifty years ago  
"by application of the now somewhat celebrated  
"sum of 'about eighty thousand dollars'—the  
"reported Congressional bribery in that case be-  
"ing probably as apocryphal as a similar alle-  
"gation at a period nearer the present time):—  
"but what man is there among us now within  
"the boundaries of our broad Confederacy, who  
"would question the integrity, or doubt the pa-  
"triotism of either the assailing statesman or the  
"statesman assailed?—of the venerable Timothy  
"Pickering, or the pure-hearted John Quincy  
"Adams?

"History discharges one of its noblest func-  
"tions in rendering justice to the character of  
"such men—that JUSTICE which some of them  
"unfortunately were prevented by cotemporary  
"prejudice from awarding to each other.

"With the leave of the Society, I will, on an-  
"other occasion, present for deposit in the Ar-  
"chives, a brief memoir of the life of James D.  
"Bemis, in addition to and connected with the  
"present deposit of this evidence of his profes-  
"sional pursuits in the early history of Western  
"typography. I will now merely say a few words  
"about his general characteristics—of which say-  
"ings, I believe that you, Mr. President, like  
"many other members of the Society, can of your  
"own knowledge testify the general accuracy.

"As an editor, and in his private relations, Mr.  
"Bemis was honorably identified with most of  
"the movements of his time for promoting the pros-  
"perity of Western New York—its social, relig-  
"ious, benevolent and literary institutions—its  
"turnpikes, canals and railroads. He was the  
"last but one of the survivors (the Hon John



"Greig, one of the Honorary Members of this Society, being now the sole survivor\*) of the first 'Board of Directors of the old 'Ontario Bank'—the career of which Institution for about forty-four years (down till its charter expired in 1856) furnished one of the best specimens of well-managed banking that our country has ever witnessed. (It is proper to add that that time-honored bank should not be confounded with banks that within the last few years have borne a similar name.)

"And it is worthy of remark, that he was the officer charged with supervising the construction of an important link of that chain of Railways now consolidated under the name of 'The New York Central Railroad,' by which railroad the passage between Albany and Canandaigua is now pleasantly accomplished in nine hours—forming a striking contrast with the speed and manner of traveling at the period of his original journey in the winter of 1803-4, when it actually required *nine weeks* (or sixty-two days) to 'work a passage' for himself and a small stock of books, between the same points! Such were the difficulties along that then sparsely-settled route, in hiring teamsters who had courage, and cattle strong enough to drive over (or rather through) the muddy roads of that region, in those primitive days of 'Western Settlement.'

"The contrast presented by Western New York when he first waded through its muddy roads, on his pioneer journey, and the *Western New York* which he lately left in the fruition of all the comforts and luxuries that an enlightened nation would reasonably require, may be inferred from the graphic description which he furnished in a letter to his friends in Albany, soon after his arrival at Canandaigua, (in January, 1804:)

"After being detained at Utica, upwards of seven weeks," says Mr. Bemis, "my patience was so far exhausted, that I determined, notwithstanding the badness of the roads, to make one more attempt to gain the place of my destination; and accordingly hired two wagons to take me to Canandaigua. They had proceeded about fifty rods, when one of them got mired to the hub!—Good start! you will say. Well! we got out in about an hour, and traveled *eight miles* the first day. \* \* \* \* \* Next morning, after taking a warm breakfast, I again 'weighed anchor,' and trudged in solitude along the muddy waste, (for it is indeed solitary to have no company but swearing teamsters,) till we reached Oneida village, an Indian settlement, where about dark, both wagons got again mired to the hub! Zounds

"and alack!—what a pickle we were in! How did I invoke the aid of old Hercules to give one tug at the wheel! However, after lifting, grumbling, halloaing, and tugging three hours and a half, with the assistance of an Indian, we once more got 'on land.' It was now ten o'clock, and no tavern within our power to reach. Cold, fatigued, and hungry, we were glad to get under shelter, and accordingly stopped at the first Indian hut we found, where there was no bed and no victuals, except a slice of rusty pork.

"After a night spent in yawning, dozing, and gaping, we again got under headway, and hove in sight of a tavern about ten o'clock;—but nothing like breakfast was to be had—all confusion—and we went on to Onondaga (50 miles west of Utica) where we arrived about ten at night. Here the house was full; and I obtained the privilege of sleeping with two strangers by paying for their lodgings, and giving them a glass of bitters—an odd bargain, to be sure! But I thought it cheap, had it been my last shilling. But fate decreed that the troubles of that day should not end by going to bed. \* \* \*

"Without dwelling on those nocturnal difficulties, let us hear what Mr Bemis has to say about the troubles which another day brought forward: His letter continues:

"At this place, Onondaga, (near the site of the present City of Syracuse,) the wagoners got discouraged, and despaired of the practicability of traveling! They accordingly stored the goods, and made the best of their way home again! Here I was obliged to remain *two weeks*, when a fine snow falling, I hired a man with a three-horse sleigh, to carry me to Canada, and arrived at this place (Canandaigua) on Saturday evening the 14<sup>th</sup> of January, after a "short and pleasant passage" of sixty-two (62) days from Albany! Here I put up for the night only, expecting to depart early in the morning for Canada—but receiving sound advice here from gentlemen of respectability, which deserved my attention, I was persuaded to open my store in this village, for the winter at least. How I shall succeed, is yet among the secrets of fate; but as yet I have no reason to repent of having stopped at Canandaigua; for such is the encouragement I have already found, that I think it probable I shall continue here."

"And continue there he did, soon rendering himself useful and honored—his journal enjoying the respect of even his political adversaries—while his name became a 'household word' in the 'Genesee Country,' as Western New York was formerly styled.

"No man was better fitted than Mr. Bemis to

\* Since dead.

"write the History of the Press and of Public improvement generally in Western New York. "No man was so long and usefully connected with the Western Press, and few so conversant with public affairs in that interesting region. "His views and wishes on these points are briefly illustrated in the conclusion of a letter written seven or eight years before his death—in which letter he said:—

"The western part of our great State is full of interest in its fifty years' career, whether we consider the events of that period or the character of the men who acted their part in transforming their Country from a wilderness to what is now THE GARDEN OF THE STATE. *I only wanted two things in my power to do—namely, to die as the OLDEST EDITOR IN WESTERN NEW YORK, (which I am,) AND TO WRITE ITS HISTORY.*"

"But the the latter years of his well-spent life were unhappily clouded by misfortune and infirmities, which affected his well-balanced mind, as well as his manly form, and forbade the execution of the latter wish; though the volumes of his *Repository* have guided, and will long continue to guide others in writing the history of the 'Genesee Country' or Western New-York.

"He died in his 76th Year, among the hills of his native New-England, to which he resorted in the fruitless pursuit of health.

"With these brief remarks, Mr. President, I now, in behalf of the family of the deceased and in token of the respect cherished for his character, by many who enjoyed his friendship (for many unite with me in thus honouring his memory,) consign to your charge for presentation to the New York Historical Society, THIS VALUED VOLUME, as a memento of JAMES D. BEMIS, the patriarchal Editor and Printer of Western New York, and as a landmark in the history of American Progress.

"With great Respect,

"Yours Truly,

"HENRY O'RIELLY."

### III.—RELICS FROM THE VALLEY FORGE.\*

#### 1.—FRAGMENT OF A LETTER, DECEMBER 16-19, 1777.

THE GULPH 16 miles  
from Phil Dec<sup>r</sup> 16<sup>th</sup> 1777

Our armies remain'd at Ease till the morning of the 4<sup>th</sup> when the Alarm guns fired—the Bag-

\* These papers are from the originals belonging to Doctor A. L. Elwyn, of Philadelphia; and we take pleasure in acknowledging our obligations to that gentleman for the copies which he furnished for publication in THE HISTORICAL MAGAZINE. It is not now known by whom these letters were written.—ED. HIST. MAG.

gage all loaded & sent off 12 miles—I had, the night before joined the Reg<sup>t</sup> with a view to muster the following day—but I packt off with the baggage 2 hours before day & returned to my old quarters, & continued till the Gale was over—during which time the English came out with their whole force, with a view to attack if practizable, if not to forage & plunder—they shew themselves on a neighbouring hill a short Cannon shot distant practising every piece of finesse to draw us from our advantageous post—they continued 4 Days in full view of the whole army of Washington declining an attack—Neither party having any fortification save nature and a few limbs of trees collected in the form of an Abbatis—on the 5<sup>th</sup> a party of militia were sent out to attack their picket—a skirmish ensued, in which a few were killed; B<sup>r</sup> Gen<sup>l</sup> Ewing of the militia wounded & taken prisoner—a considerable number of prisoners & deserters fell into our hands—on the 6<sup>th</sup> a party of light horse came out very early & surprised a party of our horse—taking several the rest escaped by their heels—the Captain's horse in leaping a fence, fell, but by taking to his own heels saved himself leaving his horse—the same day col<sup>o</sup> Morgan attacked an advanced party, which brot on a hot musquetry which continued some time, Morgans horse was shot—his Maj<sup>r</sup> badly wounded 14 killed & wounded—by accounts from Philad<sup>a</sup> it appears there were 16 waggon loads of dead & wounded carried in & by a Grenadier deserter that that 16 of his company *only* tell in that little action, their loss therefore must have been great—several Prisoners & deserters—our men merely wished for an Engagement, feeling in a fighting trim, having had no covering for 4 Days of very cold weather—the 7<sup>th</sup> all were still—8<sup>th</sup> the enemy returned to Phil<sup>a</sup>—10<sup>th</sup> was appointed to muster the brigade I attended, but before day orders were given, to march across the Schuylkill, which was 6 or 8 miles distant—from the best information the general's intention was to go to winter quarters—but on our arrival at the River, to our great surprise found Hows army at the ford, part of our Army crossed, but were forced to return—the next morning the English retreated, & at night we again crossed & took possession of the heights they had left, where we now remain; about an inch of snow fell, which is all we have yet had—A party of our horse took 11 Hessians, likewise an engagement between two parties of horse, sword in hand, in which several fell—

14<sup>th</sup> our Army alarmed in the evening by the approach of the Enemy—15<sup>th</sup> 9 prisoners taken by our horse—16<sup>th</sup> Rain'd all day—orders given to hold ourselves in readiness to march—13 Hessian prisoners just arrived—we live in daily expectation of going into Winter quarters—it may appear a Parodox that 19 brigades of Continental



troops should retire, & leave 60 miles of the Country to the enemy—but a few Counties are not our Dependance—but the Army which if reduced, cannot be recruited, & the Cause must fall, the inevitable consequence of a winters campaign—three such armies would be necessary to prevent their ravaging the adjacent Counties—tis therefore determined to retire, cloath, & nurse up the men; that in the Spring we may appear in the field in the full power of health.

Our army is in a miserable situation for stockings and shoes—such is the Corruption of the Country that shoes are sold at 7 dollars—how can a Soldier who engaged for 40/ p<sup>r</sup> month on proviso that his family should be supplied at the stipulated price with every necessary be expected to fight unless it be ag<sup>t</sup> such Extortionists To for Officers—our wages were raised last Winter 50 p<sup>r</sup> cent soon after every article of life arose 200—, what can a Subaltern officer send home to a poor family if he Supports his Dignity in the Army—or indeed any officer—Our capital officers are upon the point of Resignation—(but under the Rose)—Gen<sup>l</sup> Washington tells us it is moved in Congress & will certainly be carried, to put our Army on the british establishment, granting officers half pay during their life & their widows—Sullivan says it has passed—till then commissions will not be valued—, the life and soul of an Army depends on its officers, under which if good, the greatest cowards will fight—this event will encourage gentlemen of fortune & Character to enter & continue in Service preventing such a multiplicity of promotions as has injured our Army—by the time a man is fit for a Captain he becomes a Brigadier in consequence of Resignations arising from want & the demerit of a Commission—but I fear the bare suggestion will protract every old peasants face at least one yard—My expense exceeds my wages, tho I hear from our master that provision is making for us viz<sup>e</sup> Col<sup>l</sup> pay & Rations horse keeping & I durst not mention it because I don't believe it— I despair of coming home not for want of opportunity but on account of the enormous distance—my horse is on the point of Resignation—

18 a severe storm has troubled us 2 Days against which we are poorly defended—many men no tents breeches stockings or shoes This is thanksgiving Day & a blessed situation we are in to keep it having had no flour for 36 hours a dead Cow which was killed to save her life—I yesterday took my skelleton & rode 5 miles made an Indian meal or 2—such a frolic costs 5 Dollars—that you may know our destiny for this winter inclosed I send you general Orders of yesterday\*—19 the whole army march this day to a moun-

tain contiguous to Schuylkill about 26 miles from Philad<sup>a</sup> where we are ordered to halt—rather Coarse—while these sons of Belial are living in the palaces of the City—I hope some method will be hit upon this winter to fill our Army that in the Spring we may take the field with Spirit—want of force only on our part gave them Philad<sup>a</sup>—my plan is—for all N E to turn out, with about 20 13 inch mortars that are proof against powder & old Put & surround them in the City make it rain shells upon them till the City is level & they roasted in the flame—a final stroke might be struck in this way—unless they are strongly reinforced, our present army if collected from their Chimney Corners are able to do it—and may the Country ever be in a state of Vassalage if they will not help themselves while the Means are in their own hands

Want of Spirit in Pensilvania is owing entirely to ignorance, therefore to be pitied as well as despised

#### ENCLOSURE.

*General Orders, December 17, 1777.*

HEAD QUARTERS Dec<sup>r</sup> 17<sup>th</sup> 1777.

#### G. ORDERS

the Commander in Chief with the highest satisfaction, expresses his thanks to the Officers & Soldiers, for the fortitude & Patience with which they have sustained the fatigue of the Campaign: altho in some instances we unfortunately failed, yet upon the whole heaven hath Smiled upon our Arms, & crowned them with signal Success; & we may upon the best grounds conclude that by a Spirited continuance of the Measures necessary for our Defence, we shall finally obtain the End of our Warfare, Independence Liberty & Peace—these are blessings worth contend<sup>s</sup> for at every hazard. but we hazard nothing—the Powers of America alone duly exerted would leave nothing to dread from Britain—yet we stand not wholly upon our own Ground—France yields us every aid we ask; & there are Reasons to believe the Period is not very distant when she will take a more active part, by declaring war against the British Crown; every motive therefore irresistably urges, nay commands to a firm & manly perseverance in our opposition to our cruel Oppressors, to slight Difficulties, endure hardships, & contemn every danger: the General ardently wishes it were in his power to conduct his troops into the best Winter quarters—but where are those to be found—Should we retire to the interior Parts of the State we should find them Crowded with virtuous Citizens who Sacrificing their all have left Phil<sup>a</sup> & fled thither for protection—to their Distresses humanity forbids

\* Appended to this letter.—ED. HIST. MAG.



us to add—this is not all we should leave a vast extent of Country to be despoiled & ravaged by the Enemy from which they would draw vast Supplies & where many of our firm friends would be exposed to all the Miseries of the most insulting & wanton depredations: a train of Evils might be enumerated but these will suffice. These Considerations make it indispensibly necessary for the army to take such a position, as will enable it most effectually to prevent Distress, & to give the most extensive security—and in that Position, we must make ourselves the best Shelter in our power—With Activity & Diligence those may be erected, that will be warm & dry; in these the troops will be compact, more secure against Surprise, than if in a divided State, & at hand to protect the Country—these Cogent reasons have determined the Gen<sup>l</sup> to take Posts in the neighbourhood of this Camp, & influenced by them he persuades himself that the Officers & Soldiers with one heart, & one mind, will resolve to surmount every difficulty, with a fortitude & Patience becoming their Profession & the said Cause in which they are engaged—He himself will then partake of every Inconvenience—

## 2.—FRAGMENT OF A LETTER, JANUARY 1, 1778.

VALLEY FORGE Jan<sup>y</sup> 1<sup>st</sup> 1778

Notwithstanding the Loss of Philadelphia & many other Inconveniences attending us our prospects are much more promising than at any time since the Commencement of this unnatural war. I heartily wish for its End—hope at some future day to see an impartial History of the Rise Progress & Effects—it would be unpardonable after such noble Efforts & Signal Success to despond, or quit the Service, as many of our brave officers are doing, tho' I acknowledge there is too much Reason, arising from the Corruption of the Country, which seems deeply rooted not only in the Southern States but in the more virtuous N England—Extortion & venality predominating throughout the whole—but quitting a subject so disagreeable let us look back to 75 there we shall see defenceless N E contending with the haughtiest Power on Earth, 8000 veterans fought & couped up by an undisciplined Rabble with 3 Iron field pieces—not a 1000 arms fit for Service—5 rounds of ammunition p<sup>r</sup> man—ignorant of the means to make it & principally cut off from foreign Supplies—at the end of Dec<sup>r</sup> our Army disbanded—and scarce 3000 to oppose our foe—animated by one soul in a short time numbers were collected sufficient to beat up their Quarters & expel them the State—none but Enthusiasts & Inroachers on divine Protection could have tho't it—in 76 Arts of all

kinds began to dawn—foreign Assistance offered—and our means of Defence increased in a ten fold Proportion to oppose the vile miscreants of Germany Canada & England—at the end of the Year a horrid Gloom hung over our heads—our army on the brink of destruction—till by mere chance we gained some advantage—thro the winter of 77 our Commander could not call forth 500 Contin<sup>l</sup> Troops to the Field—The Campaign commenced exhibiting several adverse Scenes, but the Scale turned & we became masters of the northern field destroying an army of 10,000 men—we have now an Army if collected of 40,000 men & 250 pieces of brass Artillery: a Sufficiency of both present to withstand Hows utmost Efforts—every prospect now in our favour save the Depreciation of our Currency—can there be no plan hit upon to restore its value, or will you suffer the baneful disease to take such root as to produce fruit more pernicious than that of ancient Eden—Paper money once equal in value to Silver is now 800 p<sup>r</sup> Cent below par—yet our Sole dependance—it must be restored or we perish, after sacrificing so many valiant sons—a Soldier serves one month for a p<sup>r</sup> of shoes; an Ensign six for a suit of Cloaths—their families at home starving or giving 20/ p<sup>r</sup> bush<sup>l</sup> for Corn—the substance is vanished & you are pursuing the shadow—

Attend a while to our Lads perishing for Cloathing—26 in one York Regiment have been 3 weeks without a Shirt  $\frac{1}{2}$  of our own men barefoot without blankets or breeches now lying uncovered in the field—believe me this is real—my Eyes witness the direful truth—Should Congress resolve what they have in contemplation our chimney Corner Gentry will ery hei! half pay officers! Pensions! Lord North! the Devil & all!

For heavens sake after pursuing the Game thro' so many Bogs & Deserts let us not lose it now so near—the inevitable Consequence of another Years depreciation—The Banditti Inhabiting Pennsylvania openly refuse it as a Tender—Tis Beautiful to see the said vestiges of war thro' their plantations What the English began the Americans have finishd—the Dutch the Welsh the Sects & the quaking gentry hailed Bro<sup>r</sup> How a welcome Guest but ruin & devastation indiscriminately befel the friend & the foe—Military power *that* so long deprecated evil must soon take place in the vicinity of our army to curb that spirit of Dissention now prevailing thro' out this State. The sufferings of the Inhabitants are intolerable but they may thank their own perversity—He that will not prevent Evils when in his power should not complain or be relieved when they overtake him—These passive Gentry will I doubt not another Campaign imitate their Brethren in the Jerseys who after

being scourged one year fought like Heroes the next—Tis fact that Howe after arriving at Philadelphia applyd indirectly to Congress offering to withdraw his troops & plase us on the footing of 1763 till the pleasure of Parliament is known—Quere does not this look like despondency—when children can go alone they will not creep—my greatest pleasure is that I am not incumbered with a family in this difficult Day—The British troops are alarmed at the Report of a French war May heaven send Discord into Europe or an Epidemical Disease among Howes Troops to sweep them like a deluge that no more of Columbia's virtuous sons may fall but peace be established on the happy foundation of Independence.

#### IV.—NEW JERSEY AND THE BOUNDARY COMMISSION OF 1769.—CONCLUDED.

##### 2.—“A PLAIN AND FULL STATE OF THE DEMANDS AND PRETENSIONS OF NEW YORK,” RESPONSIVE TO NEW JERSEY’S, CONTAINED IN THE PRECEDING STATEMENT.\*

To the Honourable His Majesty’s Commissioners for settling the PARTITION-LINE, between the Colonies of *New-York*, and *New-Jersey*.

*A plain and full State of the Demands and Pretensions of his Majesty’s Colony of New-York, against the Proprietary Colony of Nova-Cæsaria, or New-Jersey, respecting the Boundary Line, to be settled and ascertained between the said two Colonies, for his Majesty’s Commissioners appointed by Letters Patent, under the Great Seal of Great-Britain, bearing Date the Seventh Day of October, in the Seventh Year of the Reign of his Majesty King GEORGE the Third, for ascertaining, settling, and determining the Boundary-Line between the said two Colonies, prepared by us the Subscribers, nominated as Agents by Act of Assembly of the Colony of New-York, and to be exhibited to the said Commissioners at their first Meeting, appointed as in and by the said Commission is directed, to be held at the City of New-York, on the Eighteenth Day of July, in the Year of our Lord, One Thousand Seven Hundred and Sixty Nine, viz.*

Ist. **H**IS late Majesty King *Charles the Second*, being in Right of his Crown of *England*, seized of the Sovereignty, Seignieury, and Property of the South Eastern Coast of *North-America*, from the South West Cape of *Delaware Bay*, commonly called *Cape Hinlopen*, as far as, and including *Connecticut River*, and the Lands extending back from the said Coast into the Country, as far back as to the respective first Springs, Heads or Sources of *Delaware River*, *Hudson’s River*, and *Connecticut River*, except such Parts thereof as may have been granted by the Crown, if any such had been then granted, did, by his Letters Patent under the Great Seal of *England*, bearing Date the Twelfth Day of *March*, in the Sixteenth Year of his Reign, 1663–4, give, grant, ratify, and confirm, in Fee Simple, unto his Brother *James Duke of York*, afterwards King *James the Second*, of *England*, among other Tracts in the said last mentioned Letters Patent, mentioned and described, “All that Island or Islands commonly called *Matowack’s* or *Long-Island*, situate and being to the West of *Cape Cod*, and the *Narrow Higgan Sets*, and butting upon the main Land, between the two Rivers, there called “and known by the Names of *Connecticut* and *Hudson’s River*,\* together also with the said *River* called *Hudson’s River*, and all the Lands from the West Side of *Connecticut River*, to the East Side of *Delaware BAY*.”

IIldy. The said *James Duke of York*, thus seized of the Premises granted by the said Letters Patent of King *Charles the Second*, by Lease and Release, dated the Twenty Third and Twenty Fourth Days of June, in the Sixteenth Year of the Reign of King *Charles the Second*, did grant in Fee to *John Lord Berkley*, Baron of *Stratton*, and to *Sir George Carteret*, of *Saltrum*, as Tenants in Common in equal Moieties, “All that Tract of Land adjacent to *New-England*, and lying and being to the Westward of *Long Island* and *Manhattans† Island*, and bounded on the East Part by the Main Sea, and Part by *Hudson’s River*, and hath upon the West *Delaware Bay* or River, and extending Southward to the Main Ocean, as far as *Cape May*, at the Mouth of *Delaware Bay*; and to the Northward, as far as the Northernmost Branch of the said Bay or River, WHICH is in Forty One Degrees, and Forty Minutes of Latitude, and crosseth over thence in a straight Line to *Hudson’s River*, in Forty One Degrees of Latitude.”

IIIldy. The *Dutch*, who, it is well known, were, at the Time of the Grant of the said Letters Patent, and Lease and Release, in Posses-

\* For the use of the original printed edition of these papers, as well as for that of the paper to which they are responsive, we are indebted to J. B. BACON, Esq., of the city of New York. —ED. HIST. MAG.

\* Note, the scored Words are the only Part of the Bounds of this Patent, which affect the Boundary in Controversy.

† The Island on which the City of New-York is built.



sion of that Part of the Territories thereby granted, to which the Line in Controversy can have any Relation, surrendered the same on the Twenty Seventh Day of *August*, 1664, to Col. *Nicholls*, appointed the Duke's Governor of his Territories in *North America*; which Territories were confirmed to the Crown of *England*, by the Third Article of the Treaty of *Breda*, in 1667, and afterwards in 1673, in the War between *England* and the United Provinces, were repossessed by the *Dutch*; and were finally surrendered and confirmed to the Crown of *England*, by the Treaty concluded with the United Provinces at *Westminster*, the Ninth of *February*, 1673-4. Therefore, the said *James Duke of York*, to remove all doubts concerning the Operation of the aforesaid Letters Patent, from King *Charles the Second*, to him, that might arise from the aforesaid Possession of the *Dutch*, and their aforesaid Surrender to the Crown of *England*, by the Treaty of *Westminster*, obtained other Letters Patent under the Great Seal of *England*, bearing Date the Twenty Ninth Day of *June*, in the Twenty Sixth Year of his Majesty's Reign, Anno 1674; whereby King *Charles the Second* grants to him, in *totidem Verbis*, as in the aforesaid Letters Patent, of the Twelfth of *March*, in the Sixteenth Year of his Reign.

IVthly. On the Twenty Eighth and Twenty Ninth Days of *July*, 1674, (*John Lord Berkley*, being then dead) Sir *George Carteret*, to remove the like Doubts, as to his Interest under the above mentioned Lease and Release, from the Duke of *York*, to the said Lord *Berkley*, and Sir *George Carteret*, and to vest himself with the greatest Part of *New-Jersey*, procured a Lease and Release of the last mentioned Dates, to be executed by the Duke of *York* to him, for Parcel of the Lands granted by the said first mentioned Lease and Release, thereby to vest him with the said Parcel in severally in Fee Simple, under the following Description, *to wit*. "All that Tract of Land adjacent to *New-England*, and lying and "being to the Westward of *Long-Island*, and "*Manhattan's* Island, bounded on the East, Part "by the Main Sea, and Part by *Hudson's River*, "and extends Southward as far as a certain "Creek called *Barnagat*; being about the middle between *Sandy-Point* and *Cape-May*; and "bounded on the West in a straight Line from "the said Creek called *Barnagat*, to a certain "Creek in *Delaware River*, next adjoining to, and "below a certain Creek in *Delaware River*, called "*Rankokus Kill*, and from thence up the said "*Delaware River*, to the Northernmost Branch "thereof, which is in Forty One Degrees and "Forty Minutes, of Latitude, and on the North "crosseth thence in a straight Line to *Hudson's River*, in Forty One Degrees of Latitude."

Vthly. *James Duke of York*, on the Demise

of King *Charles the Second*, on the Sixth Day of *February*, 1684, succeeded to the Crown, by the Stile and Title of King *James the Second*, of *England*, and Fifth of *Scotland*.

VIthly. By this Succession, his Title as a Grantee of all the Lands which remained, (of those that were granted to him by the aforesaid two Letters Patent, from King *Charles the Second*, after the Execution of the said two Sets of Leases and Releases by him) merged in his Crown Right; and from the Time of the said Succession, he and his Royal Successors Kings and Queens of *England*, and *Great-Britain*, have, in Right of their Crown, stood seized of the Sovereignty, Seignory, and Property, of all the said remaining Lands, as Parcel of the Colony of *New-York*; excepting the Property of such Parts thereof, as have been granted to divers Subjects, under the Great Seal of the Colony of *New-York*, and such other Parts thereof as have by Settlement fallen within the Colony of *Connecticut*.

VIIthly. Besides those Lands, which (exclusive of what may have passed by the said two Sets of Leases and Releases, and exclusive also of the said Lands fallen within the Colony of *Connecticut* as aforesaid) were granted by the said two Letters Patent of King *Charles the Second*, to the said Duke of *York*, the Colony of *New-York* has always been deemed and esteemed to extend Northward without Limitation, so as to include within its Confines and Territories, all the Lands that are not included in either of the Colonies of *Connecticut* or *Massachusetts-Bay*, or *New-Hampshire*, on the one Side; or the Colonies of *New-Jersey*, or *Pennsylvania*, on the other Side; therefore,

VIIIthly. All the Lands which are included in the Colony of *New-York*, as herein immediately above described, which have not been granted away to Subjects, by Letters Patent under the Great Seal of the said Colony of *New-York*, do now vest in Point of Sovereignty, Seignory, and Property, in his present Majesty King *George the Third*.

IXthly. All the Lands which, by Virtue of the aforesaid two Sets of Leases and Releases, from *James Duke of York*, constitute the Colony of *New-Jersey*, do now, in Point of mesne Seignory, and Property, wholly and exclusively vest in the Heirs or Assigns of the said *John Lord Berkley*, and Sir *George Carteret*, or of one of them; the Sovereignty thereof, only, being in his present Majesty, as by the first Distinction hereafter mentioned will appear; and,

Xthly. To explain what we understand by the Terms *Sovereignty*, *Seignory*, and *Property*, in the 8th and 9th Points, we observe, That by *Sovereignty* we mean the supreme and sole Government and Dominion vesting in his Majesty, in the Right of his Crown: by *Seignory*, the



Right to Rents reserved, Escheats, Forfeitures, &c. and by Property, that Exclusive Right of Possession and Use in Lands, which enables the Owner to dispose of them as he pleases.

XIthly. The Latitude of Forty One Degrees on *Hudson's River*, was undoubtedly intended as a Station in the Boundaries of the two above mentioned Sets of Leases and Releases, from *James Duke of York*; (under one or both of which the Proprietors of *New-Jersey*, are supposed to claim) being by both the said Leases and Releases fixed, as the Stationary Point of Boundary for *Nova-Casaria*, or *New-Jersey*, on *Hudson's River*.

XIIthly. Another Stationary Point of Boundary is clearly fixed, by the said two Sets of Leases and Releases, on the Northernmost Branch of *Delaware River*; and a straight Line from one of the said Stationary Points to the other, is also expressly given by the said two Sets of Leases and Releases, as and for the Northern Boundary of *New-Jersey*. Therefore,

XIIIthly. All the Lands lying to the Northward of the said northern Boundary, are clearly included within his Majesty's Colony of *New-York*. But,

XIVthly. The Course of this Line or Boundary is (as we conceive) the Matter in Controversy, and the subject Matter of his Majesty's Royal Commission; upon which the following Question arises, *to wit*;

From what Point on *Delaware*, to the Latitude of 41 Degrees on *Hudson's River*, was the said straight Line or Boundary, expressed in the said several Grants from the Duke of *York*, to the Proprietors of *New-Jersey*, intended to run?

In Order to the proper Determination of this Question, we conceive it necessary, in Reference to the said Line, or Boundary upon which the Question arises, to take the following Distinctions, in stating the Claim and Pretensions of the Colony of *New-York*, against the Colony of *New-Jersey*, *to wit*;

1st. That, tho' with Respect to the Sovereignty of both Colonies, his Majesty's Interest stands indifferent, in the present Controversy, and tho' also his right of Seignory, as the Chief Lord or Lord Paramount to the Proprietaries of *New-Jersey*, is equal as to its Nature, with his Seignory in the Colony of *New-York*, as to the Lands therein already granted, or hereafter to be granted; yet in Point of Value, it is vastly inferior in the Colony of *New-Jersey*, to what it is, and may be in the Colony of *New-York*; a certain small Sum in Gross being payable, (as appears by the said two Releases) as the chief Rent, for all the Colony of *New-Jersey*. Whereas the Quit Rents, being reserved on each particular Patent in the Colony of *New-York*, are, or may be of much greater Value, as they will be en-

creasing in Value, in Proportion to the Lands, that may from Time to Time be granted, as in the Colony of *New-York*. Besides which; the Government, Seignory and Property, of all the Duke of *York's* Territories, having passed to him by the said two Letters Patent of King *Charles the Second*, and the Government, Seignory and Property of the Colony of *New-Jersey*, having passed to the Proprietaries thereof, by the Duke's said Grants to the said Proprietaries, and they having surrendered to the Crown nothing more than the Government of the said Colony\*; all Escheats, Forfeitures, &c. by the under Tenants of Lands in that Colony, must enure to the Benefit of the Proprietaries, in whom the Seignory of the said Colony now is. Whence it follows, that in Point of Seignory, the Crown is interested on the Part of the Colony of *New-York*, against the Colony of *New-Jersey*.

2dly. That in Point of Property, the Crown has not the least imaginable Interest in the Colony of *New-Jersey*; whereas, his Majesty is, or may be, in Point of Property greatly interested on the Part of the Colony of *New-York*, in Respect of such Lands as remain ungranted by the Crown, within that Colony.

Under the Influence of these two Distinctions, and the Operation of the above stated Train of Facts which precede them, we state the Claim and Pretensions of the Colony of *New-York* against the Colony of *New-Jersey*, as follows; *That is to say*,

1. The stationary Point or Boundary on *Hudson's River*, being intended to be fixed by the Grants above mentioned, from the Duke of *York*, to the Proprietaries of *New-Jersey*, in 41 Degrees of North Latitude; we in Behalf of the Colony of *New-York*, and in Respect of the King's Seignory and Property, do claim as a Boundary between the Colony of *New-York* and the Colony of *New-Jersey*, a straight and direct Line, from the Latitude of *forty-one Degrees* on *Hudson's River*, to the Head of *Delaware Bay*; which we assert to be at *Reedy Island*; a Spot well known and distinguished in all the accurate Maps of the Country. And such Line, we contend, is the rear Line of the Tract, that was granted by King *Charles the Second*, to *James Duke of York*; because, the Words of both the above mentioned Patents to the Duke of *York* are, "All the Land "from the West Side of *Connecticut River*, to "the East Side of *Delaware Bay*;" and therefore cannot by any possible Construction, admit of an extent of Land, beyond the Head of the

\* Note. This Surrender was made to Queen *Anne*. on the 22d April 1702, by *William Dockwra* in the Name and Behalf of the Proprietors of *East-New-Jersey*, and by *Sir Thomas Lane*, on the Part and Behalf of the Proprietors of *West-Jersey*.

Bay, and along the River Delaware: Bay and River being Things as geographically different, as River and Ocean. Whence we insist, that whatever may be the Boundary, intended by the several Grants from the Duke of York, to the Proprietaries of *New-Jersey*; yet the Operation of those Grants, must necessarily be confined to the Bounds assigned to him, by his Patents from the Crown. But,

2. If, against the Letter of those Patents, it were possible to conceive, that all the Lands between *Delaware* Bay and River on the one Side, and *Connecticut* River on the other, up to their respective Sources, passed to the Duke of York; yet we contend, that, even in such Case the Boundary, in Construction of the Duke's several aforesaid Grants, to the proprietaries of *New-Jersey*, would be a direct Line, from the stationery Point on *Hudson's* River, to the Spot or Place, which is now commonly called the Forks of Delaware; or which is the same Thing, that Course reversed.

This Construction we will support; First, by intrinsic Evidence, in the Words of the Grants; and Secondly, by extrinsic Proof, drawn from different Quarters.

1. From the Words of those Grants. Tho' certain Degrees of Latitude are therein mentioned, as well on *Delaware* River, as on *Hudson's* River; yet the Words, to *Hudson's* River in Forty-one Degrees of Latitude, plainly and necessarily import, that the Latitude itself on *Hudson's* River, was to be the Boundary: But the Words in the same Grants, that Respect the Boundary on *Delaware*, are of a quite different Frame: They are, up the said River *Delaware*, in the one as far as, and in the other, to the northernmost Branch thereof; which necessarily import, that the Beginning of the northernmost Branch of *Delaware*, is the Boundary there; and that the Words, which is in Forty-one Degrees and forty Minutes, (being relative Terms, and plainly referring to, which Northernmost or Beginning of the northernmost Branch,) are added as descriptive, of the Beginning of the northernmost Branch, or the Spot, where the Boundary was intended to be; and therefore, the Beginning of the Branch, and not the Latitude, intended to be the Boundary, and the Latitude only Descriptive, if such Latitude was mistaken in the Description, and the Beginning of the then esteemed northernmost Branch can be shewn, that, and not the true Latitude, must be the Boundary: And therefore,

2. Our extrinsic Proofs will be calculated to shew, that the Beginning of the northernmost Branch of *Delaware*, in the Estimation and Intention of the Duke of York and his Grantees, was at the Place, now called the Forks of *Delaware*. These extrinsic Proofs we shall introduce, principally under the Influence of this Observa-

tion, to wit; That considering the Dates of the Grants from the Duke of York to his Grantees; considering also, that both Grantor and Grantees were in *England* at the Time of those Grants, they must have been framed, not by actual Observations and Mensurations on the Spot; but from a View of Maps, which Maps must, (considering the above mentioned Possession of the Country by the Dutch) have been antient Dutch Maps, or Maps compiled from them, by the English.

Having thus stated our Demands and Pretensions against *New-Jersey*, as far as respects the Seignory and Property of the Crown, to consist, either in a Line running on a Course from the given Latitude on *Hudson's* River, to the Forks of *Delaware*, until such Line intersects the above mentioned Line, from the Head of *Connecticut* River, to the Head of *Delaware* Bay, and from the said Place of Intersection, along the last mentioned Line, to the Head of *Delaware* Bay, or in a straight Line from the given Latitude on *Hudson's* River, to the Forks of *Delaware*; we proceed to state the Quantum of the Seignory and Property in the Crown, which is affected by this Controversy; and this we shall do by shewing, that a vast Body of Land, lying upon either of those Suppositions, within the Colony of *New-York*, still remains vested, in Point of Property, in the Crown.

In Support of this, we insist and shall prove, that in the year 1686, *East* and *West-Jersies* being then distinct Governments, they, in Conjunction with the Government of *New York*, fixed and agreed on a Station on the West Side of *Hudson's* River, due West of *Frederick Philipps's* Lower Mills; which, to this Day are standing on the East Side of the said River: Which Station was then esteemed to be in the Latitude of Forty-one Degrees on *Hudson's* River, and also another Station on the east Branch of *Delaware* River, at certain marked Trees; and that a straight Line from the said Station, so fixed on *Hudson's* River, to the said Trees, had such Line been actually run, would have been on a Course, North about Sixty two Degrees West, according to natural position, and that in reference to those Stations, and the said necessarily supposed Line, from the one to the other of them, all the Patents within this Colony, that are expressly or implicatively bounded on the Line of Partition, are limited; and as far Southward as those Stations, this Government has uninterruptedly exercised its Jurisdiction, until of late Years, a considerable Tract of Country, near and about *Minisink*, was, by Violence on the Part of *New-Jersey*, torn from the Jurisdiction of the Colony of *New-York*.

These Facts we shall prove, by a great Variety of Evidence, extracted from antient Maps,



Public Records, and Acts of Legislature of both Colonies, and the Testimony of Witnesses, whenever the same, shall on a reasonable Day, to be fixed by the Commissioners, be required.

We beg Leave to name *John Morin Scott* and *Benjamin Kissam*, as two of the Agents, on the Part of *New-York*, residing in the City of *New York*; on whom any Notice, Summons, or Final Judgment, as in the Commission mentioned, may be served.

NEW-YORK, *July 18, 1769.* JOHN CRUGER,  
HENRY HOLLAND,  
WILLIAM BAYARD,  
JOHN MORIN SCOTT,  
BENJAMIN KISSAM.

### 3.—SUPPLEMENTARY STATEMENT IN BEHALF OF NEW YORK.

THE MANAGERS on the Part of *New-York*, beg Leave to suggest to the Court, That in their Claim filed in Pages 8, and 9, of the said Claim, it is by Mistake expressed that they in Behalf of the Colony of *New-York*, and in respect of the King's Seignory and Property, do claim as a Boundary between the Colony of *New-York*, and *New-Jersey*, a straight and direct Line from the Latitude of Forty One Degrees on *Hudson's River*, to the Head of *Delaware Bay*; and that it is also expressed in the same Page, that such Line is the rear Line of the Tract that was granted by King *Charles* the Second, to *James, Duke of York*:—Whereas, instead of such Line, We the said Managers on the Part of *New-York*, did, in Respect of the King's Seignory and Property aforesaid, thereby intend to claim as a Boundary between the said two Colonies, either a direct Line from the given Latitude on *Hudson's River* to the Forks of *Delaware*, in Case the rear Boundary of the Grants to the Duke of *York*, from *Connecticut River* to the Head of *Delaware Bay*, should not intersect that Line, but run to the Westward of the Forks of *Delaware*; or if such rear Boundary should intersect the Line from the Latitude of Forty One Degrees on *Hudson's River*, to the Forks of *Delaware*, then a Line from the said given Latitude on *Hudson's River*, in a Direction to the Forks of *Delaware*, until such Line intersects the aforesaid rear Boundary from *Connecticut River* to the Head of *Delaware Bay*; and from the said Place of Intersection, along the said rear Boundary to the Head of *Delaware Bay* aforesaid; which the said Agents think proper thus to explain, least their Claim should be misapprehended.

NEW-YORK, *July 26, 1769.* JOHN CRUGER,  
HENRY HOLLAND,  
BENJAMIN KISSAM,  
JOHN MORIN SCOTT.

### V.—SELECTIONS FROM PORTFOLIOS IN VARIOUS LIBRARIES—CONTINUED.

#### 27.—THE MARINE COMMITTEE TO THE COM- MITTEE OF SAFETY OF PHILADELPHIA.\*

PHILAD<sup>A</sup> May 15 1776—

GENT<sup>N</sup>

Cap<sup>t</sup> Wickes of the Ship *Reprisal* now at Fort Island represents that he has 7 or 8 sick men on board and desires us to procure him an order for their admittance into the Hospital at the Pest House, and as the Doctor thinks vegetables & milk will be the best Physick for them we hope you can indulge us with such an order without Inconvenience— the bearer is Cap<sup>t</sup> of Marines & will wait your answer & receive the order if granted, any Expence that arises shall be paid by this Committee— We have the honor to be

Gent<sup>a</sup> your obed serv<sup>t</sup>

By order of the Marine Committee  
To ROBT MORRIS V P.  
The Hon<sup>ble</sup> Committee of Safety  
of Pennsylvania

#### 28.—BENJAMIN FRANKLIN TO ———.†

PASSY March 31, 1780

DEAR SIR.

I wrote to you yesterday relating to the Affair of your Letter to M<sup>r</sup> Carnichael that you might know Exactly the Truth of the Transaction. On Reflection I think it proper to add, that what I wrote was for your Satisfaction only; and that as the making it publick would give infinite Pain to a very worthy Man, Mr. F. Grand: who would then appear in the Light of *Delateur de Son Frere*; & it can serve no other Purpose but that of Vengeance on Sir George, and be of no Advantage to you I must insist on your Generosity in keeping it a Secret to yourself— In this you will also very much oblige, who would by no means have my Name publickly mention'd on this Occasion; and I depend on your Compliance.

With great Esteem I am Ever Dear Sir

Your most obed<sup>t</sup> hum<sup>t</sup> Serv<sup>t</sup>

B. FRANKLIN

#### 29.—DOCTOR RUSH TO OWEN BIDDLE, ESQR.‡

DEAR SIR—The Sailors in the barracks complain of the want of suitable accomodations for

\* From the collection of F. S. Hoffman, Esq.

† From the collection of F. S. Hoffman, Esq., New York City.

‡ From the collection of F. S. Hoffman, Esq., New York City.



an hospital. A few of them on the province island hospital (who are on the recovery beg for liberty to be removed to the barracks. I hope the Committee of Safety will attend immediately to these matters.

I am sorry to find that our recruits suffer so much from the want of blankets. Suppose the Committee of Safety should request by an Advertisement every family in the City to furnish one, or more from their beds according as they could spare them. I have mentioned the project to above a dozen families in this city who have all expressed a desire to concur in it if they are properly called upon

Forever Dr Sir  
Yours  
Sincerely  
B. RUSH

Tuesday morning.

[Addressed:] Mr OWEN BIDDLE  
of the  
Committee of Safety

30.—FROM GEN. JEDEDIAH HUNTINGTON  
TO——.\*

TOTAWAY† 12<sup>th</sup> Oct<sup>r</sup>. 1780.

DEAR SIR.

I am without any of your favours since I wrote you last. \* \* \* \* Nothing important has turned up with the Army since Arnold's Treason. Joshua Smith is on Tryal.—I am told Arnold's Papers seized at Philadelphia have opened some Scenes in the speculating way wherein several in Phila<sup>a</sup>. are concerned—it is said \* \* \* \* \* is one,—not improbable I think.

Much is said of Mrs. Arnold's Correspondence with Major André—but it appears nothing more than a complimentary card from André to her which came out in an open manner at one of the Interviews of the Commissioners for the Exchange of Prisoners.

Your very affectionate  
J. HUNTINGTON.

31.—FROM GENERAL GREENE TO——.‡

WEST POINT, Oct<sup>r</sup>. 15<sup>th</sup> 1780.

MY DEAR SIR.

I think I have not written you since the late desertion of Arnold. Was you

\* From the collection of George Brinley, Esq., of Hartford, Conn.

† Totowa, a village near Passaic Falls, now Paterson, N. J.

‡ From the collection of George Brinley, Esq., Hartford, Conn.

ever more astonished in your life? A man high in reputation and with the fairest prospects of domestic happiness. The love of parade and the thirst for gold has proved his ruin. How black, how despised, loved by none, and hated by all. Once his Country's Idol, now her horror. Curse on his folly, nay his villainy, and most of all his meanness. The latter has been displayed in such dirty colours in his transactions at this post, as has not been equaled in the history of man. All kinds of private and public robbery has he pursued, and accompanied it with such circumstances of littleness as shows him to be the basest of mortals. I freely confess I had no conception, notwithstanding the converse I have had with mankind, that it was possible for human nature to arrive at such a degree of corruption.

The discovery has been very providential. Had these Posts fallen into the Enemies hands God knows what might have been the consequence. But I think little short of the entire subjection of America. What a triumph to British pride; and what a downfall to American glory. Poor Congress what would have become of you?

The General has sent me to take command here, but for how long a time I know not. General Gates is ordered to the Army for an enquiry into his Conduct at the battle of Cambrden; and the commander in chief is directed to send an officer to command to the Southward. It is yet uncertain who will go. I think Heath or St Clair. Perhaps I should have gone had I not come to this place, but being fixed here it will be difficult for the General to call me away immediately without giving umbrage to some of the rest of the General Officers.\*

When I came here, the talk of recalling Gates had in a great degree blown over, and I thought it highly probable that I should spend the winter here and therefore sent for Mrs. Greene. Should I be ordered to the Southward it will be a great disappointment to her and to me. \* \* \* \* \*

Yours &c.  
N. GREENE.

32.—FROM COLONEL HUMPHREYS TO ——†.

HEAD QUARTERS NEAR PASSAIC FALLS,  
Oct<sup>r</sup>. 28<sup>th</sup> 1780

MY DEAR SIR,

\* \* \* \* \* What a scene of horror has displayed itself since I saw you last! Arnold has

\* A letter from Gen. Greene written the next day (WEST POINT, Octo. 16<sup>th</sup>. 1780) says, "I have received a let<sup>r</sup> appointing me to the command of the Southern Army and am obliged to set out in a few days,—nay the General presses it immediately."

† From the collection of George Brinley, Esq., Hartford, Conn.

now become like a twice told tale of infamy and so let him sink in perdition tho not oblivion.

The Proceedings of the Board of General Officers on Major André are published by Order of Congress — There is also a handsome account of the whole affair written by a friend of ours (Col<sup>o</sup>. H. — n\*) & printed in the Philadelphia Paper — To these let me refer you.

The plan for reducing the number of Regiments in service is at last compleated, and Congress have resolved to give half pay to the reduced as well as other Officers of the Army, for life — General Parsons is promoted to be a Major General.

I am happy to learn from Col. Meigs that the Assembly of Connecticut are taking up the affairs of the Army with Spirit. I know it is unnecessary to impress on you the necessity of having an Army for the War & Magazines to subsist it; had this been the case, His Excellency's Letter I am sure would have superseded this necessity. \* \* \* For Heaven's sake let us have an Army for the War, or no Army at all. \* \* \* A few days will point out the necessity of looking out for Winter Quarters. You shall hear from me anon.

Your most Obed<sup>t</sup> Hble Servt.

D. HUMPHRYS

33.—GOVERNOR TOMPKINS TO GOVERNOR GERRY.  
RY.†

ALBANY April 30. 1812

SIR

By the tenth Article of the Convention entered into between the States of Massachusetts and New York on the 16<sup>th</sup> of Decem<sup>r</sup> 1786 it is provided that no purchase from the Native Indians by the Grantee or Grantees, of the preemptive right to the lands & Territory thereby ceded by New-York to Massachusetts, shall be valid unless the same shall be made in the presence of and approved by a Superintendent to be appointed for that purpose by the Commonwealth of Massachusetts.

I am not acquainted with the object of the abovementioned provision; but as the Owners of the preemptive right of the Holland purchase, being the lands & Territory mentioned in the said Convention, are desirous of holding a treaty with the Native Indians for the purchase of their right in a part of said lands, they have desired me to request you to cause a Superintendent to be appointed for that purpose by the Commonwealth of Massachusetts pursuant to the afore-

said Article of the Convention, and I beg leave to recommend Judge Lemuel Chipman of Ontario County as a suitable person to be appointed. Mr Chipman was formerly a Senator in this State, is a man of probity, intelligence and respectability not interested in the premises and I believe wholly unacquainted with the parties interested. Should he be thought worthy of the appointment and be selected accordingly, the appointment may be enclosed to me & I will cause it to be immediately forwarded to him.

I am, with great respect

Your Excellency's Ob<sup>t</sup> S<sup>t</sup>

DANIEL D. TOMPKINS

His Excellency

ELDRIDGE GERRY.

34.—OPINION BY ATTORNEY-GENERAL VAN BUREN.\*

By the III<sup>d</sup> Section of the Act "to incorporate the Montgomery Turnpike Company" the rates of toll to be received by them are regulated viz at the different sums specified in the said Section for travelling the said road *seven mills & at that rate* for a greater or less Distance—but neither by that Section nor by any other part of the act is it provided where or how many gates they shall erect on the road—

By the 14<sup>th</sup> Section this, like all other turnpike grants since the general law, is made subject to all the restrictions & entitled to all the rights secured by the act relative to Turnpike Companies passed 13<sup>th</sup> March 1807—The VI<sup>th</sup> section of which provides that the Governor shall give permission to erect Gates as soon as the whole road if it is less than *ten miles in length* or if more than as soon as *ten miles* of the same shall be compleat<sup>d</sup>—then he is to give permission to erect as many gates as he shall deem necessary to collect the toll allowed the Company—

This is the only authority given to the Governor that I know of to permit the erection of gates—my opinion therefore is that his excellency cannot permit the erection of a gate in the case of the Montgomery Turnpike until *ten miles* of their road shall be completed—

M. V. BUREN

Att<sup>y</sup>. Gen<sup>l</sup>.

HUDSON Oct<sup>r</sup> 13 1815.

[LETTER ACCOMPANYING THE ABOVE OPINION.]

D SIR |

Annexed you have my Opinion in the case of the Montgomery turnpike—had I not been in the legislature when the law passed, I would say

\* Alexander Hamilton. Hamilton and Humphries were at this time Washington's aids. —G. B.

† From the original draft in the collection of the Editor.

\* From the collection of the Editor.

that the Section is disgracefully perplexed & ambiguous— I think however that the course I give the thing is about what we meant—

Yours very sincerely  
M. V. BUREN

HUDSON Oct 13 1812

The Govr—

[Addressed:] His Excellency  
D. D. TOMPKINS  
New York

35.—OPINION BY ATTORNEY-GENERAL VAN VECHTEN.\*

JANUARY 11<sup>th</sup> 1815.

SIR

I apprehend that the object of the provision of the Constitution of the United States relative to fugitives from Justice was to ensure their punishment. The Words, "A person charged in any State with Treason, Felony or other Crime" comprehend every description of Public offences. An Assault & Battery is included in this description, & therefore a Person indicted for it in one State, who escapes into another, is in my opinion demandable by the Executive of the State where the offence is charged to have been committed.

I am with respect

Your obt Servant,  
AB. VAN VECHTEN

N. B. The preceding letter of the Attorney General is an answer to my letter requesting his opinion upon the Question Whether a simple assault & Battery came within the meaning of the Act of Congress relative to fugitives from justice?

D. D. TOMPKINS

36.—C. D. COLDEN TO GOVERNOR TOMPKINS.\*

NEW YORK Sep<sup>r</sup> 16<sup>th</sup> 1814—

SIR.

I have duly reflected on the offer your Excellency did me the honor to make this morning. I should not for a moment have hesitated to accept so honorable and respectable an appointment, had I not been fearful that an intire want of experience in military affairs rendered me unfit for the office. But encourage by your excellency's assurance that by suitable efforts I might render myself as well qualified as some others who have similar stations I have determined to accept the Commission, and can only assure your Excellency, that I will do all in my

power to render myself worthy of the rank you have offered me among the defenders of our Country. I am ready to receive your Excellency's Commands. I have the honor to be with great respect your Excellency's obedient humble servant

CADWALLADER D. COLDEN  
Governor TOMPKINS

VI.—SIR NATHANIEL RICH.

By JOHN WARD DEAN, ESQR., OF BOSTON.

I have received from Joseph L. Chester, Esq., of London, England, an abstract of the will of Sir Nathaniel Rich, who was prominent in American Colonial enterprises.\* He was knighted, at Hatton House, the eighth of November, 1617, and appears, from this will and its probate, to have died in November, 1636.

There is little doubt that he was the Knight of this name who was one of the Plymouth Company to whom the Patent, on the third of November, 1620, was granted;† and I presume he was the patriot member of King James I.'s third Parliament, mentioned by Hume,‡ for Mr. Chester writes me that he has found but one Sir Nathaniel Rich in the best and fullest lists of the Knights of Elizabeth, James I. and Charles I. Garrard, writing to the Earl of Strafford concerning Sir Henry Vane's emigration to New England, says: "I hear that Sir Nathaniel Rich and Mr. Pym have done him much hurt in their persuasions that way."§ In 1627, Sir Nathaniel Rich represented Harwich in the English Parliament.||

My interest in this person arose from the fact that he held the gift of the living of Standon Massey, in Essex, where Rev. Nathaniel Ward was Rector, and probably nominated him to the Rectory, as he certainly did his successor, Rev. Anthony Sawbridge. Perhaps it was through his influence that Mr. Ward's son, John, (afterwards minister of Haverhill, Mass.,) was presented to the Rectory of Hadleigh, in the same County, vacated by Rev. Mr. Sawbridge; which living was then in the gift of the Earl of Warwick, a namesake and relative of Sir Nathaniel, and his

\* *Calendar of British State Papers*, Colonial Series, vol. i., under the years 1623 to 1636.

† Hazard's *State Papers*, i., 106.

‡ *History of England*, chap. xlviii.

§ Strafford's *Letters*, i., 463, quoted by Forster in the *Lives of Eminent British Statesmen*, (since reprinted under the title of *Statesmen of the Commonwealth of England*,) vol. iv.

|| David's *Annals of Evangelical Nonconformity in Essex*, 141.



associate in Colonial affairs, whom he names in his will.

As the will contains matters of interest to American readers, I think the subscribers to the HISTORICAL MAGAZINE will be gratified to see Mr. Chester's abstract printed in full; and I send it to you for the purpose. Mr. Chester thinks that Sir Nathaniel's nephew, whom he made his heir, was Colonel Nathaniel Rich, the well-known Parliamentary officer.

#### ABSTRACT OF THE WILL REFERRED TO ABOVE.

Sir Nathaniel Rich, Kt.;—will dated 2 Dec. 1635;—appt. sole executor the Rt. Hon. the Lord Mandevill, and desire to be buried in the parish church of Stondon in Essex, a monument to be erected not to exceed £50 or 100 marks in value;—my sisters and brothers in law and their children and all my servants to have mourning.

I give my manor of Stondon and all my lands in Essex to my nephew Nathaniel Riche, when 21, in the meantime my Exors. to receive the rents &c and allow him £80 per an. for his education at the University of Cambridge, and then at Lincoln's Inn, it being my desire that he should study and profess the law. I give the profit of seven of my shares in the Bermudas, now called the Somer Islands, to my sister Grimsdiche and her husband for their lives, if they will go and inhabit upon them, and £150 to transport themselves and children. I give one other share to my nephew Robt. Browne, now residing in said Somer Islands, he having one share left him by my sister Wroth, lately decd.;—another share to [blank], another son of my sister Brown decd., who hath been hitherto educated by my noble friend the Countess of Leicester, mother to Sir John Smith;—the residue of my shares there I give for the maintenance of a free school in those islands;—"my desire is that "some of the Indian children, to be brought "either from Virginia or New England or some "other Continent of America, such as my Exor. "shall think fittest, may be brought over there to "be instructed in the knowledge of true religion."—"I give to Nathaniel Browne now in New England with Mr. Hooker the £200 which by my "sister Morgan's will was bequeathed unto him, "and £50 more as my own gift, which £250 I "would have Mr. Hooker employ during the "minority of the said Nath<sup>l</sup> Browne for and towards his education";—to Samuel Browne, another son of my said sister Browne £100 to be employed for him during his minority;—my Rectory of Neverne in Pembroke-shire to be sold; to Thos. Grimsdich, eldest son of my brother Grimsdich, now in the isle of Providence, £40 per an., which my Lord of Warwick is to pay during his life;—to Thos. Allaby my servant £100;—to Jonas Anger £10 per an. for life out

of my manor of Stondon;—to John [blank] my footman £10 in money and 40 s. per an. for life;—to Mr. Jesopp I have given £50;—to my noble Lord of Warwick £500 as a testimony of my humble affection &c.;—to my Lord the Earl of Holland & his Lady, each £100;—to my Lady Essex Cheeke £50;—my diamond ring (my sister Wrothe's legacy) I give to my brother Wrothe;—another Emerald ring to my dear & most virtuous friend Mrs. Mary Moore, widow;—to Lady Mandevill, an annuity of £180;—my library, books & papers to Lord Mandevill;—I give the Lady Warwick's picture to the Lord Rich her son;—to Mr. Wharton, minister at Felsted in Essex £30 in testimony of my thankfulness for his care in the education of my nephew Nathaniel Riche;—"to my dear friend Mr. John Pym my "best gelding and a ring of £20, which I desire "him to wear for my sake;"—to my cousin Mrs. Martha Willford £20 for a ring.

This will reaffirmed and declared to be his last will &c 28 Oct. 1636.

Codicil dated 10 Nov. 1636;—to my servant Wm. Jessopp all the adventures that I have in the stock of the Company of Marchants of the City of London trading into the East Indies, also the tenancy of the farm in Stondon called Brook's tenement;—my apparel to be distributed among said Mr. Thos. Grimsditch, Thos. Allaby & Wm. Jessopp.

Proved 1 December 1636 by Edward, Viscount Mandevill, the Exor. named.

#### VII.—JOURNAL OF LIEUTENANT THOMAS ANDERSON OF THE DELAWARE REGIMENT, 1780-1782.

From the original Manuscript belonging to the Maryland Historical Society.

	1780	Miles
May	6 <sup>th</sup> , March'd from Wilmington to Newark,	11,
"	7 <sup>th</sup> March'd to the Head of Elk,	7
"	8 <sup>th</sup> Set Sail from the Head of Elk in Company With 50 Sail of Vessels being the Second Maryland Brigade destined for Petersburg in Virginia at Which place the Sloop I was in arriv'd On the 23 <sup>d</sup> Sailing in all	350
"	30 March'd off from Petersburg and Encamp't at Rockaway Meeting House	5
"	31 March'd to Jones Bridge	17
June	1 <sup>st</sup> March'd to Commissary Lambs, Brunswick, Co	
"	2 <sup>d</sup> March'd to Shorts Ordinary	

June	3 <sup>d</sup>	March'd to Stoney Creek	18	Oct	7	This day there Was three Com- pys of light Infantry Chosen out of army the first Commanded by Capt Brewin of the Virginia Line the Second by Capt Kirk- wood of the Delaware in Which I served as Lieut, the third by Capt Brooks of the Maryland- ers and the Whole by Col Morgan	
"	4 <sup>th</sup>	March'd to Taylors Ferry On the Roanoke Crossed and En- camp't On the its Banks	8	"	8 <sup>th</sup>	Began Our march and arrivd at Salisbury the 15 instant	95,
"	6	March'd into Granvill County N Carolina	18	"	23 <sup>d</sup>	March'd to Six mile Creek and join'd the militia under the Command of Genl Davidson	41
"	7	March'd to Genl Parssons	10	"	25,	moved Our encampment in front of the militia this place is Within 15 miles of Charlotte While We lay at this place Col Morgan Reced his Commission as Brigadier from Congress,	16 1 1153,
July	25 <sup>th</sup> ,	This day Genl Gates took Com- mand	485	Nov	4,	This day Genl Morgans Light Infantry With Col Washing- ton's Cavalry March'd down towards Rudgeleys Within 13 miles of Camden to reconiter the Enemy and return'd to Camp On the 9th Inst March'd	100
Aug	12 <sup>th</sup>	March'd this day and lay all night On our arms	6	"	22 <sup>d</sup>	This day the Maryland Division arrived here,	
"	13,	March'd to Rudgeleys mill	16	"	27	The army under the Comd of Genl Gates march'd to Char- lotte to Huts,	
"	15	March'd this night & met the enemy	7	"	28	Received Orders to hold our- selves in readiness to March at a Moments Warning accord- ingly left Our tents Standing With all our Sick behind and March'd to 12 Mile Creek This Creek is the line between North & South Carolina from thence We March'd to the Hanging Rock, Where the Infantry re- main'd Whilst Col Washington With his Cavalry Went down to Col Rudgeley's and With the de- ception of a Pine top took the Garrison Consisting of One Coln, One Major, three Captains, four Lieuts, One hundred rank and file, From thence Return'd to Camp With the Prisoners and arrived On the 2 <sup>nd</sup> Decbr	1253 100
"	16	About One O'clock in the morn- ing met With the enemy at Suttons farm and drove back their advanced guard We then Halted and Formed the Line of Battle and lay On Our arms Un- till day light at Which time the enemy advanced and Charg'd Our left Wing Where the mili- tia Was formed Who give Way Which give the enemy an op- portunity of turning Our left flank & got in Our rear, The action Soon became desperate and bloody for some time but We Were Obliged at last to give Way With the loss of all Our Artillery & Baggage The loss of Our Regiment in the action Was Lieut Col Vaughn, Major Patten, Captains Sear- mouth, & Rhodes, Lieuts Pur- vis, Duff, Skillington & Roche, With Seventy rank & file Our marches On the retreat Such that I Can give no particulars untill We arrived at Salisbury in North Carolina On the twenty first but Computed them at	123	Dec	6 <sup>th</sup>	Genl Green took Command of the Southern army in the room of Genl Gates Who was recall'd. march'd to Charlotte	15
"	24,	March'd & Cross'd the Yadkin river at the old trading Ford March'd from thence to Guil- ford Court House & lay a few days	7 30	"	17		
		March'd from thence to Hills- borough Where We Came up With the remains of Our army With Genl Gates	45				
			205				
			793				
			998				

Dec	21 <sup>st</sup>	Was join'd With two Compys from the Maryland line Commanded by Capts Dobson, & Anderson and March'd to Biggers Ferry On the Catawba river	15
"	22 <sup>d</sup>	Crossed the River and march'd	5
			1388
"	23 <sup>d</sup>	March'd	16
"	24,	March'd	13
"	25,	March'd	8
Jany	1781		
"	14	March'd	10
"	16	March'd to the Cowpens	12
			1447
"	17	Before day Reced Information that Col Tarlton Was Within Five Miles of us With a Strong Body of Horse and Infantry Whereon We got up and put Ourselves in Order of Battle by day Light they Hove in Sight Halted and Form'd the Line in Full View as We had no artillery to annoy them and the Genl not thinking it prudent to advance from the ground We had form'd, We look'd at each other for a Considerable time, about Sunrise they began the attack by the Discharge of two pieces of Cannon and three Huzzas advancing briskly On our riflemen that Was posted in front Who Fought Well Disputing the ground that Was between them and us, Flying from One tree to another at last being forst to give ground they fell back in Our rear the Enemy Seeing us Standing in Such good Order Halted for Some time to dress their line Which Outflanked ours Considerably The then advanced On boldly under a Very heavy fire untill the got Within a few yards of us but their line Was So much longer than ours the turn'd our Flanks Which Caused us to fall back Some Disttance The Enemy thinking that We Were broke set up a great Shout Charged us With their bayonets but in no Order We let them Come Within ten Or fifteen yards of us then give them a full Volley and at the Same time Charged	

them home They not expecting any Such thing put them in Such Confusion that We Were in amongst them With the Bayonets Which Caused them to give ground and at last to take to the flight But We followed them up so Close that they never Could get in Order again untill We Killed and took the Whole of the Infantry Prisoners, At the Same time that We Charged, Col Washington Charged the horse Which Soon give Way We followed them ten miles but not being able to Come up With them Returned back to the field of Battle that night and lay amongst the Dead & Wounded Very Well pleased With Our days Work  
March this day

20

1467

	1781		
Jany	18,	March'd off With the prisoners for the Catawba River arrived at it On the 23 <sup>d</sup> Inst being,	100
Febry	1 <sup>st</sup>	The Enemy under the Couid of Earl Cornwallis Crossed the River below Where Genl Davidson With Some of the South Carolina Militia Was posted, Killed the Genl and Some of the men Which Caused us to March for Salisbury for fear that the Would get between us and our army Which Was on the Way for Guilford We arriv'd at Co' Locks before day every step being up to our Knees in Mud it raining On us all the Way	30
			1597
I here Omit the Journal from Febry 1 <sup>st</sup> to March 13 <sup>th</sup> Containing Some interesting particulars & going over marches to the amount of 441 miles Which added to 1597 makes, 2038			
Febry	14,	March'd Within three miles of Guilford Court House,	8
"	15,	Commenced the action of Guilford between the armys Commanded by Genls Green & Cornwallis in Which a number Were Killed on both Sides Genl Green drew off his army With the loss of all his artillery Out of our two Companies	





Sept, 14 March'd With the army to the road leading to Lawrence's Ferry On the Santee river, Left them & march'd to Mr Caldwell's farm at the Half-Way Swamp 19

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3198

[Here I omit many miles of marching He & Capt Kirkwood appear to have Set out On their return home Feby 11, 1782, I find the following entries in the Journal & Certain marches on their return Which I omit but give the last of the entries WA]

1782  
Feby 10, Our Company join'd us  
" 11, Capt Kirkwood Set out With us On his way Home to the State Lay all night at Genl Parsons, 20  
" 12 March'd to Capt Summervilles 25

---

4342

[With the Omissions these marches bring us to 4342 miles WA]

March 27, March'd to Northumberland Court House When there Was a Genl Muster of the Militia Went aboard of a boat bound for the Head of Elk Comd by Capt Brewer in the Cone river Sailed down to the mouth of the river and Went ashore at Mr Croleys 16

" 28 Made Sail after night With a fair Wind got near Patuxent and Was drove back by contrary Winds into the Cone again Went to Mr Croleys Sailed this night, 30

April 1<sup>st</sup> March'd to Yaucomoco Went aboard of Mr Mithaneys Ferry Boat Cross'd the Potomack to Pine Point When We parted for the night Capt Kirkwood and Lieut Platt Went to Parson Sebastains, Lieut Campbell & myself to Mr Crane's State of Maryland, 22

" 2<sup>d</sup> Cross'd the Patucksin at Junipers Ferry and lay all night at Mr Summer Villes, 25

" 3<sup>d</sup> March'd to Mr Smiths 23

" 4, Cross'd the South river at Browns ferry, Came to Annapolis after night put up at Mr Middletons Tavern,

April 5 Cross'd the Severn river at the Town and March'd to Baltimore Staid at Mr Poes Capt Hamiltons quarters, 30  
" 7, Went aboard of the Packet bound for the Head of Elk Commanded by Capt Simpson before Night landed at French town march'd to Newark Delaware 4513

#### VIII.—MEMORANDA OF AN HOUR'S TALK WITH A CENTENARIAN — CAPTAIN LAHRBUSH, LATE OF HER MAJESTY'S LXTH RIFLES.

[The Centenarian from whose conversation the following interesting facts have been derived, was born on the ninth of March, 1766, in London; entered the British Army on the seventeenth of October, 1789; fought with the LXth Rifles, in Holland, under the Duke of York in 1793; was present, on the eighth of September, 1798, when Humbert surrendered to Lord Cornwallis, at Ballinamuck, in Ireland; was with Nelson at the capture of Copenhagen, in 1801; was attached to the suite of Lord Castlereigh, British Ambassador to Prussia, in 1806-7; witnessed the famous interview at Tilsit between Napoleon and Alexander, on the twenty-second of June, 1807; fought under Wellington, in the Spanish Peninsula, 1808-10; was promoted for especial gallantry at Bussaco, and made Knight of Talavera; was stationed at the Cape of Good Hope in 1811; distinguished himself in the Caffre war in 1813; assisted in guarding Napoleon at St. Helena in 1816-17; sold out his Captain's Commission in the LXth Rifles in 1818; subsequently went to Australia, as Superintendent of the Convict Station at Bathurst; transferred his fortunes to Tahiti in 1837; thence made voyages to different parts of South America, the East Indies and China; was forcibly transported by the French from Tahiti to France, in 1842, in consequence of expressions favorable to the Protestant Missionaries and in disparagement of the Papal propagandists; traveled extensively in Europe; took charge of Lord Howard de Walden's Estate in Jamaica, W. I., in 1847; and came to New York, after the emancipation of the negroes, in 1848, accompanied by his widowed daughter and grandson, both of whom soon after died. Since then, childless and alone, he has lived in this city in the enjoyment of wonderful health, in the possession of all his faculties and the vigorous use of his limbs.

For many years he took daily a dose of seventy-five Grains of Opium—once, one of a hundred and fifty Grains; and upon another occasion a tumblerful of Laudanum. He is certain that half a pint of Laudanum would have no more injurious effect upon him than the same quantity of French red wine.

In person, Captain Lahrbush presents the appearance of a man formed to endure everything, and live as long as no part of the machinery were out.

He celebrated his one hundred and first birthday, at a breakfast in the house of Brevet Major-general de Peyster, in company with Admiral Farragut and a number of distinguished Generals and other officers and citizens, on the ninth of March, 1867.—J. W. DE P.]

I met Blucher, in 1806, at Colberg. He was a very jovial person—what a military man would style "good company." He was above the middle height, but by no means heavy; not exactly handsome, but exceedingly military in his appearance. Even at this period, his hatred against Napoleon was intense. As soon as he got a little deep in his cups, he would swear fearfully against

the French Emperor and the French. The Prussians already doted upon Blücher, although as yet he was only a secondary character.

The Archduke Constantine of Russia was not the ugly man he has generally been described. Dressed in his dark-blue Hulan uniform, turned up with red, with a square-topped Polish cap, I may say he looked actually handsome. But, if he was not as ugly as some writers have described him in person, he certainly was all that has been said of him in character. This was after Austerlitz, in 1806. Having some cause of complaint against a woman of the *demi-monde*, while on a visit to Berlin after that battle, he went to her house, split her skull with his sabre, and killed her. When this became known among the people, the next time Constantine showed himself at the theatre in the king's box, the audience shouted: "Turn him out! Turn him out!" The victor [*ironical*] of Austerlitz!" The king of Prussia was very much incensed at Constantine for his brutality, and, as he could not punish him, wrote a very indignant letter to the Emperor Alexander.

Among ordinary men, Frederic William III. was a fine-looking man, and had a very benevolent expression. Standing beside Alexander, Emperor of Russia, however, he lost every advantage, because Alexander was, in my opinion, the handsomest man in Europe. He towered above Napoleon. I saw them together on the raft at Tilsit. Alexander was an elegant gentleman.

Bless me! what a beautiful woman was Louisa, Queen of Prussia! Tall, lithe, elegant, perfectly formed, with an angelic expression of countenance, she was the handsomest and finest, likewise the most elegant woman, I ever saw in my life. I was then forty, and had seen many of the choicest specimens of womanhood, in every class of life, in Europe, but none approached Queen Louisa; and this is my judgment even yet, when I am a hundred and one.

As to the Duke of Wellington, my commander, he was a lucky man. I do not think he was so able, but he was extremely fortunate.

I recollect the present King of Prussia, then Prince Wilhelm of Prussia. He commanded, in 1806, a battalion of the Guards in Potsdam. He was a *very* likely young man, and took after his mother, the beauty of beauties—Louisa.

Schill, the famous Prussian partisan patriot—equivalent to Marion in the American Revolutionary history—was, physically, a heavy, large German, but had the appearance of great intelligence. He was very popular in 1806. He commanded a free corps operating in Pomerania and the Eastern part of Germany. He did the French a great deal of damage, and had won a great renown among the people.

In regard to Napoleon—whom I saw as Emperor, first at Dantzic, in 1807, before the battle of Friedland, as Arbitrer of Europe, and as prisoner (I commanded his guard) at St. Helena—I never saw a likeness which conveyed the proper idea of his features and their expression. The best likeness is that on his coins, particularly the five-franc pieces of the Empire. His face changed very little with years. Even at St. Helena, although his body had grown fat, his features were as fine as ever. F. LA B., 101.

## IX.—A FRAGMENT FROM OLD VIRGINIA.

[The following very interesting fragment—a relic of Nathaniel Bacon's Insurrection in Virginia, in 1676—has been sent to us by George Fitzhugh, Esq., of Richmond, Virginia, and will be found very interesting, by many of our readers.]

It was taken from the Letter-book of Colonel William Fitzhugh Esq.,—a manuscript of some three hundred pages, which is in the possession of our correspondent—and is a copy of a letter written by Colonel Fitzhugh, who was one of the leading lawyers of his day, to Robert Beverly, the Clerk of the House of Burgesses of Virginia, who was then suffering imprisonment for withholding the archives of that body from the Royal Commissioners—Jeffreys, Moryson, and Berry—and evidently his client.

It will be remembered that these Royal Commissioners had demanded the Records of the General Assembly of the Colony, and that the Clerk had not only refused to surrender, but had actually secreted them; that he was removed to the *Duke of York*, a man of war, to prevent his rescue by the outraged Colonists, whose champion he was; and that, without law, he was held a close prisoner, denied the right of *habeas corpus*, and otherwise harshly and illegally treated.

It is evident that Colonel Fitzhugh was Beverly's legal adviser; and the following letter, from the Counsel to his client, embodies the legal points involved in the arbitrary and illegal confinement of the latter. It embodies, also, the ideas concerning the legal authority to confine any person, which were entertained by leading lawyers of that period; and it serves, also, to teach the student how much regard was paid by the Law to the rights of man *under a Monarch*, in 1682-3; and, by contrast, how little, also, by the Law, is paid to the same rights, in a *Republic*, nearly two centuries later.—ED. HIST. MAG.]

Jan<sup>y</sup> 1<sup>st</sup> 1682/3

MAJ<sup>r</sup> ROBT BEVERLY—

SIR,

I suppose M<sup>r</sup> Robinson before the receipt of this has been so kind to acquaint you that your tryall will be easie, which will at present save me some labour, yet to correspond with your's & my word, I will give you some small touches, in relation to your tryall, which will be very suddenly. Multiplicity of business, at present, a little disorders me.

First for Imprisonment, see Cap. 26 Magna Charta. I refer you for the words of the Statute to itself. I shall take notice of Conclusions drawn from thence. And First, altho the offence whereof he was accused was such as he was not baylable by Law, yet the law did so highly hate the long imprisonment of any man, tho accused of an odious & heinous crime that it gave him this writ of Inquisition for his relief.—Secondly, There was a means whereby the Com-



mon Law, before Indictment, to protect the innocent party against false Accusations & to deliver him out of Prison. And a further Benefit was by this law in favor of the Prisoner that he should have it without fee, or without Denyal or Delay: For more of this matter, see the Mirror, Cap. 5 Sect 2. But this Writ was taken away by 28 Ed<sup>rd</sup> 3, but within twelve years after it was Enacted, that all Statutes made against Magna Charta, as this 28 Edw. 3<sup>d</sup> Should be void so that it is again renewed. Nay the Justices have been so far from allowance of any ones being detained in Prison, without due Tryall that it was resolved in the case of the Abbot of St Albans by the whole Court that when the King had granted to the sd Abbot to have a Goal, and diverse persons were committed to that Goal for felony, and because the Abbot would not be at cost to make Deliverance, he detained them in prison a long time without making Deliverance, that the Abbot had for that cause forfeited his Franchise &c—See Sta. Glo. Cap 9. H. 8. 4. 18. 20 Edw 4; 6 Brooke, title forfeiture and Cooke upon Magna Charta fo: 43. many such like cases. And it is provided by Sta. 5 Hen. 4. Cap 10. and Cookes Reports Lib 9. fo: 119, that none be imprisoned by any Justice of the Peace but in the Common Goal, to the end that they may have their Tryall at the next Goal Delivery. And this Statute extendeth to all other Judges and Justices, for two reasons. First this Act is but declaratory of the Common Law. Secondly, *ubi est lex specialis, et ratio est generalis, generaliter accipiendam est.* By the Sta. Glo. Cap. 29. you may see what expedition ought to be used for avoiding long imprisonment, (viz) till the next coming of the Justices and consequently to the next Court for tryall. From whence it is to be observed that the Law of England is, *lex misericordie* for three Causes. First that the Innocent shall not be worn away & wasted by long imprisonment, but as hereby and by Magna Charta, speedily come to his tryall. Secondly, That Prisoners for Criminal Causes, when they are brought to tryall be humanely dealt withal, for *severos quidem facit Justitia, inhumanos non facit.* Thirdly, The Judge ought to exhort him to answer without fear, and that Justice shall be duly administered to him.

Magna Charta, Cap. 29. No man shall be taken, or imprisoned or dispossessed of his Land, Livelihood or Liberty, unless it be by lawful Judgment of his Equals, or by due Course & Process of Law, and not Petition or Suggestion, nay tho it were to the King and Council. See this notably explained by these Acts, 5. Edw 3-9. 25 Edw. 3. 4. 37. Edw 3. 8. 38 Edw 3. 9. 42 Edw 3-3. 17 Rich 2. 6. Cookes Reports Lib. 10 fo. 71. All these conclusions upon a commitment to follow. First That he or they that do

commit them have lawful Authority. That his warrant or Mittimus be lawful, and that must be in writing under his hand & seal. Thirdly, The cause must be contained in the Warrant, as for Treason, felony &c—Fourthly, the warrant or mittimus, containing a lawful Cause, ought to have a lawful Conclusion, “and him safely to keep until he be delivered by Law &c” and not until the party Committing do further order. This and the former conclusions do evidently appear by the writs of Habeas Corpus. By which writs it manifestly appears, that no man ought to be committed, but for some certain cause; and these words in the Writs of Habeas Corpus, *ad subjiciendum et recipiendum* prove that cause should be shewn, for otherwise how can the Court state orders thereon according to Law. And this agrees with Holy Scripture Acts of the Apostles, Cap 25—v. ult. “It seems to me unreasonable to send away one bound into prison, and not to signifie the cause thereof.” So also the Petition of Right 3 Car. Imprisonment doth not only extend to false & unjust Imprisonment, but it is both false & unjust if he be detained longer than he ought altho at first lawfully imprisoned. Cooke on Magna Charta fo: 53. Good Judges & Justices abhor such courses as the Centurion took against St Paul. Acts Apostles. Cap 22 v. 24. 27. He commanded Paul to be bound, and then asked who he was and what he had done. For remedy for Injustice done in this nature See Cooke Magna Charta Cap. 29. fo: 55-56, and There you will also find, that Justice ought to have three qualities, *Libera, quia nihil est iniquius venali Justitia. Plena, quia Justitia, non debet claudicare: et Celeres, quia delatis est quadam negatis.* And then it is both Justice & Right. Again in the Statute, *de frangendis Prisonam*; there you may see what a lawful mittimus is, First it must be in writing in the name and under the hand & seal of him that makes the same, expressing his Office, Place & Authority, by force whereof he makes the mittimus, and is to be directed to the Goaler or Keeper of the Prison. Secondly, in it must be contained the Cause, as it expressly appeareth by this Act, with such convenient certainty, that it may appear judicially, that the offence, “*tale judicium requirit*” and this is proved, both by Reason & Authority. By reason first, for that it is in case of felony, *qua inducit ultimum Supplicium*, and therefore ought to have convenient certainty as aforesaid. Secondly, For that a voluntary escape, is felony in the Goaler if there be certainty expressed. Fourthly, If the mittimus should be good generally, *pro feloniam* then as the *Ignorantia Judicis foret calamitas innocentis*, and therefore in reason in case of so high a nature concerning the life of man, the convenient certainty ought to be shewed,

by Authority or that the Indictment must rehearse the effect of the mittimus. Thirdly & Lastly, See the resolutions of all the Judges of England in their 21 & 22<sup>d</sup> Answers to the objections of Archbishop Bancroft in behalf of all of the Clergy of England, *Tertio Jacobi*. They answer that upon complaint they ought to send the Kings Writ, for the body and the Cause, and if in the return no cause, or no sufficient cause appear, that then they ought to set him at liberty, &c. This to the 21<sup>st</sup>—To the 22<sup>d</sup> they answer and resolve, that upon complaint made unto them, if any one imprisoned without just cause, we are to send to have the body, and to be certified of the cause, and if they will not certify us of the particular cause, but generally without expressing any particular cause, whereby it may appear to us his Imprisonment to be just, then we do and ought to deliver him. Hereupon, it appeareth that the common warrant or mittimus, must answer to such things as shall be objected against him, is utterly void and against law. Now as the mittimus must contain a certain cause, the conclusion must be according to Law. (Viz) "The Prisoner safely to keep until he be "delivered by due course of Law," and not until he that made it give order, and the like. S<sup>r</sup>, This is what at present occurs, and what is to be taken notice of, and what I dare and do avow to be of good Authority. If you have farther occasion, please to signify and I shall be ready to serve you therein.

I question not your care, about our Tobacco, in your County and Gloucester. To urge your Diligence would seem to make doubt, therefore, as I said before, proceed for us as for yourself. My Service to your good Wife, Esq<sup>r</sup> Wormly and all friends there.

Your obt svt  
W<sup>m</sup> FITZGUH

To Major ROBERT BEVERLEY.

## X.—OLD NEW YORK REVIVED—CONTINUED.

### 19.—JONATHAN LAWRENCE'S RECOLLECTIONS OF THE REVOLUTIONARY WAR.\*

The night before leaving Long Island I went to bed early in the evening (as usual)—and in the night somewhere about 11 or 12 o'clock as I suppose, a party of three soldiers entered the house. I was awake when one of them came into the bedroom where I lay, probably to see

what they could plunder, he did not notice me, but left the room without taking anything, the women in the house were awake and up. The old Lady as soon as the soldiers left the House directed their Slave (Jack) to go and prepare the boat to escape to Barn Island. The boat was accordingly prepared about 4. o'clock. A. M. (a perriauger). which the old Gentleman had; and sundry things, amongst the rest a cheese and other refreshments, were placed in the boat, and with the Children and two women servants, (Sam taken out of bed without clothes, Judy with only her night gown, and Peggy with a calico frock suddenly thrown on.) Judy was sick and was carried in the arms of our slave Margaret and aunt Peggy Riker and her daughter Jane went into the boat together, crossed over the River, landed on Barn Island near the Bluff, and walked to Behanna's (?) House, (Lowndey). By this time it became so light as to see what was doing near our Home. Then we crossed the Island, and somehow got a boat, crossed over Harlem River, and went to a house in Harlem, and wanted to get something to eat, But the American troops being encamped near, (at Kingsbridge,) and all the bread taken up for the army, could get no bread ready baked; and had to wait until it could be baked, when we made our meal at the House we stopped at, (name not recollected) with the Bread & Cheese, etc. The old Gentleman being not far off with the Convention, near where the army was encamped, was apprized by his wife of their situation; and I remember being at Berrian's, on the opposite side of the River, near Kingsbridge, when the drummers allowed me (a boy of nine years old) to beat upon their drums, the family being all there by agreement between father & Berrian until their retreat up the North River. Dont remember how long we remained there, but from there we went in a boat procured by father, to Tappan, to a relation of Mr Riker, after a few weeks stay went to Mr Martinez who married a Riker, about ten miles further up the River. Remember while at Mr Riker's, father used to go out and catch crabs, from my recollection uncommonly fine and large. After being a short time at Mr Martinez's, cold weather was setting in, and there, as well as at Riker's, some clothes were procured for the girls. I remember also that on a certain day after our arrival at Martinez's, he and father went and took down an old stone fence, and hid under it a few articles of family plate which had been suddenly collected and were brought away from home on the day of their departure from Long Island. Having accidentally seen the concealment of these valuables, I was charged to keep the secret, if any enquiries should be made respecting them. From Mr Martinez's we removed to Rhinebeck, and I am not positive

\* From the original, in the possession of John S. Lawrence, Esq<sup>r</sup>., of New York.



where we first put up, but it was either at Dr Coopers or Mr Tinley. Spent the winter at Mr Tinley; went in the Spring to Dr. Cooper; and while at Dr. Coopers, certain Chemists or saltpetre manufacturers came to Rhinebeck, and prepared saltpetre there, some of the cattle having eaten of it, being enticed by the salt, died in consequence. About this time Kingston (Esopus,) having been burnt by the British, father deemed it prudent to retreat with his family from Rhinebeck, and went to New City. But on the British leaving Esopus, and returning towards New York, father returned to Dr. Cooper's where Richard was born. This was in January, 1778. When we were at Tink's (winter of 1777) the Hessians were taken and the news having reached us, the old Lady and I walked through the snow to Mr Bradfords at Cubacks(?) to announce it and rejoice at the capture. In the spring of 1778. Mr Bradford's family removed from Cubacks house to Rhinebeck flats, and father took the house they left. There we remained for a year, when father hired the farm of Atwater, at New Hackensack, in Dutchess County, a sequestered farm of the State. Remained there two years and cultivated the farm. The old Gentleman was not much at home during all the time being engaged continually in public affairs. Remained there two years, during which Abraham Riker\* was born; and then removed to a house and large farm of 300 acres belonging to a Mr French, at Dover, cultivated the farm and lived there two and a half years. There Joseph was born; and thence in the fall of 1783 the preliminaries of peace having been announced, Father, and Judy, and I rode down through Westchester to Hornes Hook ferry, (Hellgate), and crossed over. Went to uncle W<sup>m</sup> Lawrence and there Judy and I remained, until father went to New York and made arrangements for settling his family in the City; and then returned to Dover and brought the family down to New York by way of Fishkill, in a Sloop commanded by Capt. Bogardus. They had a boisterous passage down, and on their arrival went and stayed one day at Mr Bradfords Coffee House; and then removed to a house, corner Burling Slip and Water Street. Before the family reached this City I in company with other young men of Newtown, rode down to the City and joined the escort of General Washington on his taking possession. I remember on the arrival of the troops, the halcyards of the flagstaff having been cut, (by the British it was said) a Sailor mounted the flagstaff with fresh halcyards, rigged it, and hoisted the American flag; and received from the bystanders contributions of sixpences and shillings. There was great shouting and rejoicing upon the occasion.

# XI.—A SERMON\* PREACHED AT BOSTON IN NEW ENGLAND UPON A FAST DAY THE XVJ<sup>TH</sup> OF JANUARY. 1636,†

By M<sup>r</sup>. JOHN WHEELWRIGHT.

Now first published, from Manuscripts in the possession of The Massachusetts Historical Society.

## INTRODUCTORY NOTE.

There is no more interesting series of events in the history of New England, than that which is known to us as "The Antinomian Controversy" of 1634-40.

The Puritan fathers of the Colony of Massachusetts Bay were

\* The original manuscript of Wheelwright's Sermon, or what has sometimes been supposed to be the original (though we have not been able to compare it with any of Wheelwright's known writings), is in the archives of this Society. From some memoranda upon one of the blank leaves, it appears to have once been in the possession of John Coggeshall, one of Wheelwright's contemporaries and adherents. It originally contained forty-two pages, the first eight of which are now wanting. There is, however, a complete transcript of the Sermon, in an ancient hand, among the Hutchinson manuscripts in the library of the Society.

In the copy which has been made for the press, the original has been followed; and the part wanting in that has been supplied from the ancient transcript referred to. This differs from the original principally in its orthography.

The sermon was preached on a fast day appointed by the General Court of Massachusetts to be held on the 19th of January, 1636-7. Dr. Palfrey thinks it was delivered at Mount Wollaston Church, which was then a branch of the Boston First Church; but from the *Briefe Apologie* in defence of the Court (probably written by Winthrop) printed in the *Short Story*, p. 52, it seems certain that it was preached in Boston. Dr. Lunt thinks it by no means improbable, that Wheelwright preached it to his own congregation at Mount Wollaston in the forenoon, and repeated the substance of it at the Boston Church in the afternoon, after Cotton had concluded his discourse. For the preaching of this sermon, Wheelwright was adjudged by the Court "guilty of sedition." Winthrop tells the story thus: "Mr. Wheelwright, one of the members of Boston, preaching at the last fast, inveighed against all that walked in a covenant of works, as he described it to be, viz. such as maintain sanctification as an evidence of justification, &c. and called them antichrists, and stirred up the people against them with much bitterness and vehemency. For this he was called into the court, and his sermon being produced he justified it, and confessed he did mean all that walk in such a way. Whereupon the elders of the rest of the churches were called, and asked whether they, in their ministry, did walk in such a way. They all acknowledged they did. So, after much debate, the court adjudged him guilty of sedition, and also of contempt, for that the court had appointed the fast as a means of reconciliation of the differences, &c. and he purposely set himself to kindle and increase them." &c. Scarcely more than a brief allusion to the famous "Antinomian controversy in Massachusetts" can be made in this note: and we would refer those interested in this subject to Savage's edition of Winthrop's *History of New England*; Ellis's *Life of Anne Hutchinson*, in Sparks's *American Biography*; and Palfrey's *History of New England*. See also

† The fast was appointed by the General Court to be held on the 19th of the 11th month, being the 5th day of the weeke, "Thursday" (*Mass. Col. Records*, I., 187.) But the 19th of January, 1636-7, came on Tuesday. Winthrop (*History*, I., 213) says the fast was kept on the 20th, which was Wednesday. It was probably kept on *Thursday*, the 21st, that day of the week being usually selected, at that period, for such occasions. The date placed at the head of this transcript of the discourse was probably not copied from the original, or was incorrectly copied.—PUBLISHING COMMITTEE OF THE MASSACHUSETTS HISTORICAL SOCIETY.

\* The late Abraham R. Lawrence, Esqr.—Ed. HIST. MAG.



not wholly united in their admiration of Governor John Winthrop, and those with whom, both in Church and State, he acted in concert; and this they did not fail to make manifest on more than one occasion. Thus, in 1632, less than two years after the transfer of the Corporation to America, Thomas Dudley, impatient of undue control and disliking some of Governor Winthrop's measures, openly resented them by attempting to withdraw from the Government. Two years later, the Governor was superseded by Mr. Dudley, and called to account "for such commodities as he hath received of the common stock" to a Committee of the General Court, evidently in a hostile spirit. Mr. Haynes succeeded Mr. Dudley, in 1635; and in 1636, Henry Vane, Esq., was elected to that office, with Mr. Winthrop as his Deputy. In 1637, desperate at this persistent rejection of Mr. Winthrop and this continued rebuke of the spirit which controlled him and his adherents, in violation also of law and of the chartered rights of the majority of the Freemen of the Corporation, the most unwarrantable measures were taken to secure the restoration to authority of the ancient *regime*; and, amidst the most intense excitement, the effort was successful.

It is evident that in these long continued discontents and frequent contests for authority, the struggle to retain or regain the power which "the major will" was unwilling to repose in Mr. Winthrop and his friends and supporters, the town of Boston was almost unanimously opposed to that party; and that it relied chiefly for its support on the country towns and on the clergy; although, in the country, also, were many who condemned the clergy as preachers of false doctrines, and the Governor as a supporter of an erroneous polity.

While these discontents were gathering their strength, in September, 1634, there arrived at Boston, one William Hutchinson and his wife and family; and, a little more than a year later, Rev. John Wheelwright, a relative of his, also settled in the same place, whence, soon after, the latter removed to Mount Wollaston, now Braintree.

The religious meetings for women, which were instituted in Boston, by Mrs. Anne Hutchinson, and the excitement which was produced thereby, are known to our readers; and they need not be told of either the general denunciation of the clergy, as preachers of false doctrines, in which Mrs. Hutchinson and her friends indulged, nor of the hearty support which that remarkable woman enjoyed, not only from the townsmen, in Boston, but from many of the leading inhabitants of the country towns. As a necessary consequence of this religious warfare against the clergy, by those who also mainly opposed, politically, the great civil supporter of the clergy, Mr. Winthrop, it was not long before the theological dispute became an important element in the political contests of the day; and the friends and adherents of Winthrop were called upon to battle at the same time against the mere opponents of the clergy, headed by Mrs. Hutchinson, and the opponents of Mr. Winthrop, *per se*, headed, it is probable, by Henry Vane, William Coddingdon, John Coggeshall, Captain

John Underhill, and Richard Dummer, both of which parties they appear to have considered equally antagonistic to their party and to their desire for office.

In the midst of this excitement, while Mr. Vane was Governor of the Colony, a fast was ordered on account of the prevailing dissensions and the existing troubles with the Indians; and, among others, a sermon was preached by Mr. Wheelwright, who was one of the principal theological opponents of the clergy, and, indirectly, an opponent also of Mr. Winthrop and his political adherents.

For preaching this Sermon, Mr. Wheelwright was summoned before the General Court, when a remonstrance was presented from nearly all the members of the Church at Boston, claiming as Freemen their right to be present in cases of judicature, and denying the right of the Court to act in cases of conscience before the Church itself had acted on the subject.

Mr. Wheelwright duly appeared before the Court, produced his Sermon, and justified it, boldly declaring that his application of the principles maintained therein was "to all that walk 'in that way.'" The Court then called on the Elders of the Churches to declare if, in their ministry, "they walked in such 'a way'" as Mr. Wheelwright had described, which they acknowledged; whereupon the Court adjudged the preacher "was guilty of contempt and sedition."

A portion of the Court, headed by Governor Vane, dissented from this judgment and presented a Protest and a second Remonstrance from the Church at Boston, the latter justifying the preacher; denying the alleged sedition; suggesting that the opposition to the sermon might be only a method of the old serpent, "the ancient enemy of Free Grace," to spread mischief; and advising the Court to consider the danger of meddling with the prophets of the Most High. This Remonstrance was very decided in its tone and was signed by men of the first consequence in the Colony; and, very wisely, nothing further was done at that time, in the premises.

At the meeting of the Court, in May 1637, the most disreputable means were employed by the friends of Mr. Winthrop to regain the ascendancy in the Government; and their success was followed by the banishment of Mr. Wheelwright and the disfranchisement of his leading friends, and, subsequently by the banishment of Mrs. Hutchinson; the disarming of the leading anti-Winthrop inhabitants of Boston, Salem, Newbury, Roxbury, Ipswich, and Charlestown; and by other acts of Puritanic persecution.

Every careful reader of the Sermon who is also an impartial observer of men and manners will agree with us that Mr. Wheelwright's remarks were not more applicable to the prevailing vices of 1637 than they are to those of 1867; and it is not impossible that in that fact we may find at once the motives of the *Fathers* of Massachusetts in banishing its author from that Colony, and those of their *Sons* in withholding, so tenaciously, and for so long a period, from the light of day the Sermon itself. Be this as it may, the author was banished, in 1637, and his Sermon has been, during the succeeding two hundred and thirty years, and *until now*, carefully withheld from the scrutiny of all, the world over, except the favored few who have lived or had "hospitable friends" in Boston or its immediate vicinity.

The Sermon thus preached by Mr. Wheelwright, the great historical importance of which will be evident to our readers, remained in manuscript, unpublished and sedulously guarded, until last August, when we made a formal application, in writing, to the Massachusetts Historical Society, in whose possession it had been for many years, for a copy for publication.

As a member of that venerable Society and a student of the history of the subject to which it related, we supposed that our fellow-members, many of whom were also our personal friends, would no longer interpose an objection to the publication of this very important Sermon; but the result indicated too clearly that we were mistaken—that which related to Massachusetts, they maintained, ought only to be published originally, if published at all, in Massachusetts and under their supervision.

The following, from the unpublished *Proceedings of the Massachusetts Historical Society*, for August, 1866, is the official record of the action of the Society on our application for a copy, and of the subsequent process through which it was intended we should obtain a copy only in the manner and at the time which was most congenial to the feelings of those who had so long withheld it from the public:

"An application from Mr. Henry B. Dawson, of Morrisania, N. Y., for leave to copy and print the Sermon of the Rev. John Wheelwright, among the Hutchinson manuscripts in the archives of the Society, was referred to the Standing Committee, with full power.

Lunt's *Two (Bi-centenary) Discourses delivered September 29th, 1839, at Quincy.*"

Mr. Savage, who read this Sermon, over forty years ago, while editing Winthrop's *History*, unhesitatingly declares (i. 215), that its character "was not such as can justify 'the court in their sentence for *sedition and contempt*,'" &c. Dr. Palfrey, who gives a long extract from it on page 479 of the first volume of his *History*, thinks that "the composition is 'of that character which is common with skillful authors.' Along with disclaimers of the purpose to excite to physical violence, it abounds in language suitable to bring about that result," &c.

A tract entitled *A Glass for the people of New England*

By S. G. (Groom), evidently a Quaker, published in England in 1676, contains some extracts from this sermon; from which it is inferred that it continued to circulate in manuscript for many years. Dr. Palfrey (*History of New England*, i. 450) discovered that one passage in the *Glass*, there attributed to Wheelwright, is not contained in the Sermon, but is the conclusion of Vane's *Brief Answer*, to Winthrop, in Hutchinson's *Collection of Original Papers*, 82, 83.

—PUBLISHING COMMITTEE OF THE MASSACHUSETTS HISTORICAL SOCIETY.

\* We beg to add to these works one which the Committee has not seen fit to notice,—*DAWSON'S Life and Times of Anne Hutchinson*, published in New York, in 1856.—*ED. HIST. MAG.*

"[The 'Standing Committee,' on considering this application, decided that it was the duty of this Society to print this sermon, and all the other unpublished manuscripts in the 'Hutchinson collection, in a volume or volumes of their own, as soon as the funds of the Society should enable them to do so. With a view, however, to gratify the wish for this particular discourse, it was referred to the 'Publishing Committee,' and 'by their authority is here printed.]"

Having received no official reply to our application, and the information which we had obtained, informally, indicating a determination in some quarters to prevent such a copy from reaching us as would have answered our purpose, we made a personal application to the Society, at its meeting in March, 1867; and, contrary to the Society's usual course, in such cases, we believe, the HISTORICAL MAGAZINE, to-day, is allowed to anticipate the regular publication by the Society, in its own *Proceedings*, of a paper in its own collections, which it had officially designated as a part of its own forthcoming volume.

The following copy of the Fast-day sermon, preached by Mr. Wheelwright, in January, 1837, has been printed from corrected slips furnished to us, officially, for the purpose of this publication, by the Publishing Committee of the Massachusetts Historical Society, under the authority of that body, and in advance of its own publication of the same in a future volume of its *Proceedings*, which is now in press.—ED. HIST. MAG.

MATH: the 9. 15.

And Jesus said vnto them, can the Children of the bride-chamber mourne as long as the Bridegroom is w<sup>th</sup> them, but the dayes will come, when the Bridegroom shall be taken from them, & then they shall fast.

Our blessed Lord & Sauio<sup>r</sup> Jesus Christ, though he was the most innocent that euer was, so that they w<sup>ch</sup> hated him, hated him w<sup>th</sup>out a cause, yet notw<sup>th</sup>standing the wicked world, they were euer taking exceptions, both against his sayings & doings.

In the beginning of this chapter, they brought vnto him a man sicke of the palsey, lying vpon a bedd. Jesus seeing their faith, said vnto him, sonne be of good cheare, thy synnes be forgiven thee, the Scribes say w<sup>th</sup>in themselves that he blasphemeth. Christ perceiuing their thoughts, answered for himselfe, & telleth them, he cold as easily forgieue synnes as restore this man to health; Christ goeth from thence, & goeth to the receipt of custome & calleth Mathew the Publican, & he receaueth him into his house & maketh a feast. Christ sitteth downe w<sup>th</sup> Publicans & synners: the Pharisees take exceptions, & tell his Disciples, that their Master eateth w<sup>th</sup> Publicans & synners, & Christ hearing of it, answereth for himselfe, & telleth them, they were fit subiects to worke vpon, he iustifieth the vngodly: those that are iustified by Christ must not looke to be saued by sacrifice, but by the mercy of Christ. A little after, the Disciples of John were instigated by the Scribes & Pharisees Mar: 2. 18, and they put this question vnto him, Why they & the Pharisees fast often? and the Disciples of Christ fast not? And Christ answered in my text. And thus you see the coherence & dependance of these words.

The text consisteth of two argum<sup>ts</sup>, whereby Christ did prooue & shew, that it was not for his Disciples to fast. The first is taken from the remoouall of any iust cause of fasting w<sup>ch</sup> they had for the p<sup>sent</sup>. The second argum<sup>t</sup> is taken

from a position or putting a iust cause of fast they shold haue hereafter, and that was the removing Christ from them.

I will not stand to shew the difference of fasts, w<sup>ch</sup> are either constrainyd, ciuill, miraculous, dayly, or religious, but the fast here spoken of in my text, is of the last sort, and mourning is added in my text, because fasting & mourning go together, Joel: 2: and where it is here said, the children of the bridechamber cannot fast, it is to be vnderstood an impossibility of seasonableness, they cannot do it seasonably.

The text containeth in it two poynts, but I wrap all vp in one poynt of Doctrine, and that is this. That the only cause of the fasting of true beleueers is the absence of Christ.

Either Christ he is p<sup>sent</sup> w<sup>th</sup> his people, or els absent from his people; if he be p<sup>sent</sup> w<sup>th</sup> his people, then they haue no cause to fast: therefore it must be his absence that is the true cause of fasting, when he is taken away, then they must fast. If we take a view of all the fasts, that haue bene kept, either in the old or new Testament, we shall finde the fasts that haue bene kept by true beleueers, haue had this for the grounds of them, the absence of the Lord. What was the reason why the people of Israell kept a fast, Judges the 20. & 1 Sam: 7, and Jehosephat & all Juda 2 Cron: 20, and the people of Israell, after they came out of captivity, Nehemiah 9. And the church of Antioch, Acts 13, and Paul & Barnabas, Acts 14; was it not because they wanted the Lord to protect, defend, pardon, & assist? Where there is mencon made of fasting in the Scripture, you shall likewise find mencon made of turning vnto the Lord, and the Prophet Joel, when he speaketh of a fast, he biddeth them turne to the Lord: whereby it is evident, that the reason why God's people do fast, is because there is a distance betweene them & the Lord.

Reas: 1. The first reason is, when Jesus Christ is aboudantly p<sup>sent</sup>, he doth make a supply of whatsoever the children of God can peure in this extraordinary way of fasting: Wee know that vnder the captivity the people of God they fasted exceedingly, they kept a fast in the fourth moneth, 5. 7. 10, and now the Lord pmiseth a restauration of Jerusalem, that is especially accomplished in the kingdome of Christ, when he shall raigne ouer his, and he saith, in this day he will turne the fast of the fourth moneth, 5. 7. 10, into ioyfull gladnes & chearefull feasts. Zach: 8. There is a prophecy of a glorious Church, w<sup>ch</sup> the Lord will haue vnder the new testament, & especially when the Jewes come to be converted vnto God, and there is a pmise that the Lord will dwell w<sup>th</sup> them, & they shall be his people, & he will be w<sup>th</sup> them, and the effect of it is, all teares shall be wiped from their eyes;



Reu: 21, 4, and the same is pphced in Isay 65, 19. so farr as Christ is psent he taketh away all cause of mourning & weeping, and in his psence is fulnes of ioy, and at his right hand there is pleasures for evermore. Ps: 16, 11.

Reas: 2. The second reason is, because when the Lord Jesus Christ cometh once to be absent, then cometh in matter of mourning & fasting, all misery followeth the absence of Christ; as you see darknes followeth the absence of the sunne: the Lord leaueth Hezekiah, 2 Kings. 20. 12, 13, and then what followeth vpon it, he sinneth exceedingly in shewing the Ambassadors the treasure in his house. The Lord departeth from his Disciples, & his Disciples leaue him & forsake him. John: 16. So when it pleaseth the Lord to absent himselfe, then cometh in cause of mourning, and this hath beene the reason that the seruants of God haue wonderfully desired the psence of the Lord. Moses desired Gods psence, or els never to go vp, and so Daud, Ps: 27, 9, because he knew very well, if God were absent from him, then misery wold follow.

Vse 1. The first vse may serue to teach vs a reason, why those that are the children of God, vpon their first acquaintance they get w<sup>th</sup> the Lord, they are not much addicted vnto fasting, the Lord doth not cary them that way; the time when Christ was vpon the earth, he being psent w<sup>th</sup> his Disciples, he was euer & anon instructing of them; when they were in dobt of any thing, he telleth them, and if they cold not answer many dobt, then Christ came & answered for them, and if at any tyme they were in any danger, then Christ comforteth them, and was euer & anon w<sup>th</sup> them. And thus the Lord dealeth w<sup>th</sup> his children, spirituallly in regard of his spirituall psence, when Christ first cometh to breake into the soules of his, he is wonderfully pleasant vnto them, and euer & anon instructing of them & comforting of them; yea, the Lord heareth them before they pray, or when they are a speaking, & doth exceedingly solace them; but afterwards it may be the saynts of God may come to be left & forsaken of the Lord, either because the children of their mother is angry w<sup>th</sup> them, & make them keepe the vyneyard, those vnder a covenant of works, maketh them trauaile vnder the burthen of that Covenant, and so maketh the Lord absent himselfe from them, and then Christ cometh to depart from them, & then they fast; or els whilest they grow carnall, & fall into a spirituall sleepe, Christ leaues them. Cant: 5. 6.

2. Secondly, from hence we are taught how to cary & behaue ourselves now vpon this day of humiliacion, there are diuers euils w<sup>th</sup> wee may happily desire shold be remoued, both from forrayne nations & from this place where we liue, and diuers good things we desire shold be

peured both for them & ourselues. What is the course we must take? must we especially looke after the remouing those euill things & peuring those good things? this an hipocrite will do, see the example of Ahab, 1 Kings 21: 27, 28, 29, and the Lord will grant the desire of hipocrites: in this case see 78 Ps: 34, for there the hipocritical people of the Jewes in their misery sought the Lord, and the Lord being full of compassion, he forgiueth their iniquities & destroyeth them not, in the 38 verse of that psalme: must we then do as they did? by no meanes: What must we do then? We must looke first at the Lord Jesus Christ, & most desire now that Jesus Christ may be receaued in other nations & other places, and may be more receaued amongst our selues, we must turne vnto the Lord, & then he will turne all into a right frame, when many eniynes came against Jehosophat, what doth he? he goeth & seeketh the Lord, & his eyes are towards the Lord. 2 Cron: 20, 12, so the children of God are a company, a generation that seeke the Lord & his strength & face euermore, Ps: 105, 4. they do not only seeke the gifts of his spirit, but the Lord himselfe, they doe not seeke after strength to be receiued from the Lord only, but they seeke after the strength that is in the Lord, they do not seeke only to know the Lord by fruits & effects, but looke vpon the Lord w<sup>th</sup> a direct eye of faith they seeke his face, and this is the generation of seekers spoken of Ps: 24, 6, therefore if we meane to peure good things & remouue euill things, this will be our course, seeing the absence of the Lord is the cause of fasting, and the end of our fasting must be our turning to the Lord, & he will turne to vs, Joel 2. and thus the Lord will turne all things for the good of his, Rom: 8, 32, if we\* get y<sup>e</sup> Lorde Jesus Ch, we shal haue all things.

3. Thirdly, from hence we are taught a reason, why, thos y<sup>e</sup> doe not knowe the Lorde Jesus Ch, they are vsially giuen y<sup>e</sup> most vnto fasting, not y<sup>e</sup> I condemne fasting by any means; but this is it, many times thos that are the leaste acquainted w<sup>th</sup> y<sup>e</sup> Lorde Jesus are giuen y<sup>e</sup> most of al to fasting, y<sup>e</sup> Papists are giuen much to fasting, & ponish themselves by whipping, & y<sup>e</sup> people in captiuitie they were not acquainted w<sup>th</sup> the Lorde, & soe did not faste to the Lorde. Zac: 7. 5. 6. & appointed more fasts then the Lorde appointed, the 4, 5, 10 month, & the Phareses fasted twice a weeke, Luk. 18. 12. they wanted y<sup>e</sup> Lorde Jesus Ch, & they must haue somethinge to reste vpon, & must close w<sup>th</sup> some thinge, & because they wante Ch they faste. This for y<sup>e</sup> first vse of instruction.

\* The early transcript of the Sermon has been followed to this place; and here we begin with the "original manuscript," the first eight pages of which are wanting.—PUBLISHING COMMITTEE OF THE MASSACHUSETTS HISTORICAL SOCIETY.



Vse: 2. The second vse of exhortation, & it serueth to exhorte vs al, in the feare of God, to haue a spetial caire, that we p<sup>ie</sup> not w<sup>th</sup> y<sup>e</sup> Lorde Jesus Ch: if we p<sup>ie</sup> w<sup>th</sup> Ch we p<sup>ie</sup> w<sup>th</sup> our liues, for Ch is our life, saith Paule, Col. 3. 4, the Lorde Jesus Ch is not onely the author of our life, but is the very seate of the life of God's children, & al there life is deriued from Ch, for he is y<sup>e</sup> roote & he conuayeth life to y<sup>e</sup> branshes, & thos y<sup>t</sup> are y<sup>e</sup> children of God, they liue by y<sup>e</sup> faith of y<sup>e</sup> sonne of God, Gal. 2. 20. they haue faith to lay houlde of the sonne of God, & y<sup>e</sup> sonne of God conuayeth life to them; therefore if we p<sup>ie</sup> w<sup>th</sup> Ch, we p<sup>ie</sup> w<sup>th</sup> our liues, therefore it standeth vs all in hande to haue a caire Ch be not taken fro vs, if we belonge to the election of graise, Ch can not be holy taken away from vs, yet may be taken away in some degree, therefore let vs haue a caire to keepe y<sup>e</sup> Lorde Jesus Ch.

Ob: It may be heare demanded, what course shal we take to keepe the Lorde Jesus Ch.?

A: The way we must take, if soe be we wil not haue y<sup>e</sup> Lorde Jesus Ch taken from vs, is this, we must all of vs ppaire for a spiritual combat, we must put on y<sup>e</sup> whole armor of God, Eph: 6, 11, & must haue our loines girt, & be ready to fight; behould the bed y<sup>t</sup> is Solamos, there is threscore valient men about it, valient men of Israel, euery one hath his sworde in his hande, & being experte in warre, & hath his sworde girt on his thie, because of feare in y<sup>e</sup> night, if we wil not fighte for y<sup>e</sup> Lorde Jesus Ch. Ch may come to be surprised. Solamon lyeth in his bed, & there is such men about the bed of Sollamon, & they watch ouer Sollamon, & wil not suffer Sollamo to be taken away; & who is this Sollamon, but y<sup>e</sup> Lorde Jesus Ch; and what is y<sup>e</sup> bed, but y<sup>e</sup> Church of true beleeuers, & who are those valient men of Israel, but all the children of God, they ought to shew themselves valient, they should haue their swords readie, they must fight, & fighte w<sup>th</sup> spiritual weapens, for the weapens of our warfare are not carnal but spiritual, &c. 2 Cor: 10, 4. therefore wheresoe euer we liue, if we would haue y<sup>e</sup> Lorde Jesus Ch to be abundantly p<sup>sent</sup> w<sup>th</sup> vs, we must all of vs ppaire for battel, & come out ag<sup>t</sup> y<sup>e</sup> enymies of y<sup>e</sup> Lorde, & if we doe not strue, those vnder a covenant of workes wil p<sup>uaile</sup>. We must haue a spetial caire therefore to shewe our selues coragious. al y<sup>e</sup> vallient men of Dauid, & all y<sup>e</sup> men of Israel, Barak, & Debora & Jael, all must out & fight for Ch; curse ye Meroz, because they came not ought to helpe y<sup>e</sup> Lorde ag<sup>t</sup> y<sup>e</sup> mighty, Judg: 5, 23—therefore if we wil keepe y<sup>e</sup> Lorde Jesus Ch & his p<sup>sence</sup>, & power amongst vs, we must fight.

That thes things may be y<sup>e</sup> better cleared, we must vnderstand & cal to our considerations, y<sup>t</sup> as soone as euer Ch was borne into y<sup>e</sup> world, Herod

& al Jerusalem was troubled. Math: 2, & if y<sup>e</sup> Lorde had not p<sup>uented</sup> him, he sought to destroy him, & when Ch Jesus came once to shew him selfe, & to declaire him selfe, & exersise his publique minestery, y<sup>e</sup> world seteth them selues ag<sup>t</sup> him to intrap him, & they labour to kille him, & neuer lefte, til they crused y<sup>e</sup> Lorde of glory, for this was done by Herod & Pontius Pilat, Act. 4; & when they had crused him, that would not serue y<sup>e</sup> turne, but he being buried, they come & make it suer, & sealeth y<sup>e</sup> stone, & seteth a watch & warde, & would haue buried y<sup>e</sup> Lorde for euer, & would haue kepte him eternally in the graue, but he raised him selfe by his power; and sins Ch reserection & assention al y<sup>e</sup> enymies of y<sup>e</sup> Lorde Jesus Ch, they endeauour to doe it spiritually, & as they buried y<sup>e</sup> Lorde Jesus Ch, & laboured to keepe him there, soe spiritually they burie Ch, & they doe not onely labour to do this, y<sup>t</sup> are pagonish, but y<sup>e</sup> antiechtian. Why doe y<sup>e</sup> heathen raige & the people imagine a vaine thing, Psal. 2, 1, what people are they, the people of God, y<sup>e</sup> people of y<sup>e</sup> Jues, this people doe imagine to take away y<sup>e</sup> Lorde Jesus Ch, & what hath beene y<sup>e</sup> practis of all Antechtian spirits, but onely to take away y<sup>e</sup> Ch, y<sup>e</sup> Son of y<sup>e</sup> liueing God, & to put in fals Ch, & to deceiue the electe, if it were possible, Math. 24, 24: for what is Antech., but one being ag<sup>t</sup> Ch., & for Ch, his being for Ch, is being ag<sup>t</sup> Ch, he is ag<sup>t</sup> Ch. becaus he would put one in y<sup>e</sup> roome of Ch, therefore if we wil keepe the Lorde Jesus Ch amongst vs, we must stande vpon our gairde, & watch ouer y<sup>e</sup> Lorde Jesus Ch, as y<sup>e</sup> vallient men of Israel watched ouer Solomon.

Ob. It may be heare demanded what course must we take to p<sup>uaile</sup> in this combat, for fight we must?

A. If we would p<sup>uaile</sup> thorow y<sup>e</sup> strength of y<sup>e</sup> Lorde for of our selues we can doe noe thinge, then we must first contende for y<sup>e</sup> faith once deliuered to y<sup>e</sup> saints, y<sup>e</sup> Epistle of Jude. v. 3, y<sup>t</sup> is y<sup>e</sup> Gospel, it was but once deliuered for y<sup>e</sup> substans, though many times in reigarde of y<sup>e</sup> manner, we must therefore strine for y<sup>e</sup> faith of y<sup>e</sup> Gospel, & strine together for y<sup>e</sup> Gospel, Phil. 1, 27, if y<sup>t</sup> y<sup>e</sup> light once be taken away, & darkenes come vpon y<sup>e</sup> face of y<sup>e</sup> Church, then we may be eaysly deluded, and a false Ch. put in y<sup>e</sup> trew Ch roome.

Ob. It may be demanded, what is y<sup>e</sup> gospel.

A. It is y<sup>t</sup> same glad tideings y<sup>t</sup> the Lorde sente into y<sup>e</sup> world of a Saviour y<sup>t</sup> is borne vnto vs, euen Jesus Ch y<sup>e</sup> Lorde, this same gospel is y<sup>t</sup> heauenly doctrin y<sup>t</sup> was p<sup>sesied</sup> of before by y<sup>e</sup> p<sup>set</sup> consarning Jesus Ch the Lorde, to be maide of y<sup>e</sup> seede of Dauid. Y<sup>e</sup> gospel is a deuine heauenly supnatel doctrin, containeing in it y<sup>e</sup> reuelation of Jesus Ch, to preach y<sup>e</sup> Gospel is to preach Ch, & y<sup>e</sup> Apostle sath, Gal.

6, 14. God forbid y<sup>t</sup> I should glory in any thinge but in y<sup>e</sup> crosse of Ch: soe y<sup>e</sup> Gospel is such a doctrin as doth houlde forth Jesus Ch, & noe thinge but Ch, when such a doctrin is houlden forth as doth reueale Jesus Ch to be our wisdom, our righteousnes, our sanctification, our redemption. 1 Cor. 1, 30, when al is taken away from y<sup>e</sup> creatuer, & al giuen to Ch, soe y<sup>t</sup> neither before our conuersion, nor after, we are able to put forth one act of true, saueing spiritual wisdom, but we must haue it put forth from y<sup>e</sup> Lorde Jesus Ch, w<sup>th</sup> home we are maide one; & such a doctrine houlden forth as declares that we are not able to doe any worke of sanctification, further then we are acted by y<sup>e</sup> Lorde, nor able to pueer our Justification, but it must be the Lorde Jesus Ch y<sup>t</sup> must apply himselfe & his righteousnes to vs, & we are not able to redeeme our selues from y<sup>e</sup> least euil, but he is our redemption; when Ch is thus houlden forth to be al in al, al in y<sup>e</sup> roote, al in y<sup>e</sup> bransh, al in al, this is y<sup>e</sup> Gospel, this is that fountaine open for y<sup>e</sup> inhabitants of Iuday & Ierusalem for sin & for vncleanenes: Zack. 13, 1, & this is the well, of w<sup>ch</sup> y<sup>e</sup> wells vnder y<sup>e</sup> ould testament were certaine types, this same wel must be kepte open, if y<sup>e</sup> Philistins fille it w<sup>th</sup> earth, w<sup>th</sup> y<sup>e</sup> earth of there owne inuentions, those y<sup>t</sup> are y<sup>e</sup> seruants of Isaack, true beleuers, y<sup>e</sup> seruants of the Lorde, must open y<sup>e</sup> wells againe; this is y<sup>e</sup> light y<sup>t</sup> houldeth forth a greate light, y<sup>t</sup> is Jesus Ch. for he is y<sup>t</sup> greate light y<sup>e</sup> lighteneth euery one y<sup>t</sup> cometh into y<sup>e</sup> world, John, 1, 9, & if we meane to keepe Ch, we must houlde forth this light.

Ob: It may be heare demanded, is there noe thinge to be houlden forth in pointe of Justification, but onely y<sup>e</sup> righteousnes of y<sup>e</sup> Lorde Jesus Ch, may there not be a reuelation of some worke of sanctification, & from y<sup>t</sup>, may not we be carryed to Ch Jesus, & soe come to beleue in y<sup>e</sup> Lorde Jesus Ch, must Ch be al in this point of Justification?

A: Truly both in y<sup>e</sup> pointe of Justification, & y<sup>e</sup> knowledge of this our Justification by faith, there must be no thinge in y<sup>e</sup> world reuealed but Ch Jesus, none other doctrine vnder heauen able to Justifie any, but mearely y<sup>e</sup> reuelation of y<sup>e</sup> Lorde Jesus Ch. I am not ashamed of the Gosp<sup>l</sup>, saith Paule, for it is y<sup>e</sup> power of God to saluation, Rom. 1, 16, how? for in it y<sup>e</sup> righteousnes of God is reuealed: soe it could not be a doctrine w<sup>th</sup> power to conuirt a soule, if y<sup>e</sup> righteousnes of y<sup>e</sup> Lorde were not reuealed: therefore when the Lorde is pleased to conuirt any soule to him, he reuealeth not to him some worke, & from y<sup>t</sup> worke, carryeth him to Ch, but there is noe thinge reuealed but Ch when Ch is lifted vp, he draweth all to him, that belongeth to y<sup>e</sup> election of grace; if men think to be saued, because

they see some worke of sanctification in them, as hungering & thirsting & y<sup>e</sup> like, if they be saued, they are saued w<sup>th</sup> out the Gospel. No, noe, this is a couenant of workes, for in the couenant of grace noething is reuealed but Ch, for our righteousness; & soe for y<sup>e</sup> knowledge of our iustification by faith, noethinge is reuealed to a soule but onely Ch, & his righteousness freely giuen, it was y<sup>e</sup> very grace of God y<sup>t</sup> appeared, y<sup>e</sup> same apperition whereby y<sup>e</sup> soule cometh to knowe y<sup>t</sup> he is Justified, y<sup>e</sup> obiect of it is Ch freely giuen, when y<sup>e</sup> loueing kindenes of Ch appeared, in y<sup>e</sup> 3 I<sup>st</sup>us 5, not by workes of righteousness, &c., they are laide aside, & y<sup>e</sup> Lorde reuealeth onely to them y<sup>e</sup> righteousnes of himselfe giuen freely to y<sup>e</sup> soule, if men haue reuealed to them some worke of righteousness in them selues, as loue to y<sup>e</sup> bretheren & y<sup>e</sup> like, & heare vpon they come to be assured they are in a good estaite: this is not y<sup>e</sup> assurance of faith, for faith hath Ch reuealed for y<sup>e</sup> obiect, therefore if y<sup>e</sup> assurans of ones iustification be by faith as a worke, it is not gospel.

Ob: It may be further demanded, must not any sanctification in y<sup>e</sup> gospel be pressed vpon those that are y<sup>e</sup> children of God, but onely as it doth come from Jesus Ch y<sup>e</sup> roote, & as he worketh it in those y<sup>t</sup> are true beleuers.

A: Not in y<sup>e</sup> gospel. Sanctification must be preached noe other way, al duties of sanctification pressed vpon y<sup>e</sup> children of God, must be soe vr<sup>g</sup>d, as w<sup>th</sup> all it be declared y<sup>t</sup> they growe from the roote Jesus Ch., worke out y<sup>e</sup> saluation w<sup>th</sup> feare & trimbleing Phil. 2, 12; it is he y<sup>t</sup> worketh in you both to wil & doe of his good pleasure; this is y<sup>e</sup> couenant of Grace, y<sup>e</sup> Lorde Jesus Ch wil be our sanctification, & worke sanctification in vs & for vs. A new harte wil I giue yow, & a new spirit, & they shal walke in my statuts & iudgements to doe them. Ezek. 36, 26, 27. I wil forgieue there sins, & wrighte my law in there harts & inwarde p<sup>tes</sup>; If works be soe pressed as if a beleuer had power in him selfe to worke, it killeth y<sup>e</sup> spirit of Gods children, put any worke of sanctification in a legal phraime & it killeth him; y<sup>e</sup> law killeth but it is y<sup>e</sup> spirit y<sup>t</sup> quickens, y<sup>t</sup> is y<sup>e</sup> gospel in w<sup>ch</sup> the spirit of God is couayed, when God speaketh he speaketh y<sup>e</sup> wordes of eternal life, & Peter saith to Ch, whether shal we goe, for w<sup>h</sup> y<sup>e</sup> is y<sup>e</sup> wordes of eternal life, therefore ought noe workes of sanctification to be vr<sup>g</sup>d vpon the seruants of God, soe as if they had a power to doe it, it wil kille y<sup>e</sup> soule of a man, & it oppresseth the pore soules of y<sup>e</sup> saints of God; Ch saith, Math: 11, 28, come vnto me al y<sup>e</sup> labour & are heauie ladened, &c., as long as we are absent from Ch, we are heauie ladened, but when Ch pulleth vs to him selfe, & takes our burthen vpon him, then we finde ease. Learne of me, for I am meeke &



lowly, & yow shal finde rest to y<sup>e</sup> soules. Ch was soe meeke & lowly, as content to receiue al fro the Father, & soe must we be meeke & lowly, & contente to receiue al from Ch, if y<sup>e</sup> duties be pressed any other way, they wil be burthens that neither we nor our fathers wil be able to beare; therefore if we meane to keepe y<sup>e</sup> Lorde Jesus Ch, we must keepe open this fountaine, & hould forth this light, if there be a night of darkenes, y<sup>e</sup> feare saith the Spirit of God, is in the night.

2. The second action y<sup>t</sup> we must pforme, & y<sup>e</sup> seconde way we must take is, when enymies to y<sup>e</sup> truth oppose y<sup>e</sup> way of God, we must lay loade vpon them, we must kille them w<sup>th</sup> the worde of y<sup>e</sup> Lorde, Hos: 6, 5, y<sup>e</sup> Lorde hath giuen true beleuers power ouer y<sup>e</sup> nations, & they shal breake them apieces, as shiuered w<sup>th</sup> a rod of Iron; & what rodde of Iron is this, but y<sup>e</sup> worde of y<sup>e</sup> Lorde, & such honour haue al his saints, Psa. 149, 9. y<sup>e</sup> Lorde hath maide vs of thrushing instruments, w<sup>th</sup> teeth, & we must beate y<sup>e</sup> hils into chafe, Isa. 41, 15, therefore in y<sup>e</sup> feare of God handle y<sup>e</sup> sworde of y<sup>e</sup> spirit, y<sup>e</sup> worde of God, for it is a too edged sworde, & Heb. 4, 12, this worde of God cutteth men to y<sup>e</sup> very harte.

Ob: It may be objected y<sup>t</sup> there wil be but littel hope of victory for y<sup>e</sup> seruants of God, because y<sup>e</sup> children of God are but few, & those y<sup>t</sup> are enymies to y<sup>e</sup> Lorde & his truth are many?

A: Trew, I must confes & acknowledge y<sup>e</sup> saints of God are few, they are but a littel flocke, & those y<sup>t</sup> are enymies to y<sup>e</sup> Lorde, not onely Pagonish, but Antechristian, & those y<sup>t</sup> runne vnder a couenant of workes are very strong: but be not afraide y<sup>e</sup> battel is not y<sup>ours</sup>, but Gods; ye know y<sup>e</sup> speech rendered by the p<sup>re</sup>st when soe many came ag<sup>t</sup> Joshua; Josh. 23, 10, one of yow shal chase athousand, &c. if we should goe in our owne strength, we should be swallowed vp, many a time may Israel say, if it had not beene for the Lorde, we had beene swallowed vp, if it weare not for y<sup>e</sup> Lorde of Hoasts, there were littel hope of p<sup>ro</sup>uailing by y<sup>e</sup> saints, but out of y<sup>e</sup> mouthes of babes & sucklins, God ordaineth him praise, to stil the enymies, y<sup>e</sup> Lorde wil magnify his name in y<sup>e</sup> saints, & though Gods people be but few, yet it is y<sup>e</sup> Lorde of hoasts, that God of heauen & earth, y<sup>t</sup> layed y<sup>e</sup> foundation vpon y<sup>e</sup> seas, & in comparison of home all y<sup>e</sup> nations are as noe thinge, Jehouah is his name, that greates God; it is Micael that fighteth w<sup>th</sup> his angels; therefore though the peop<sup>le</sup> be few, yet it is al one for God to saue whether w<sup>th</sup> many or those w<sup>ch</sup> haue noe strength.

Ob: 2 It wil be objected y<sup>t</sup> diuers of those who are opposite to y<sup>e</sup> waies of grace, & free couenant of grace, they are wonderous holy people, therefore it should seeme to be a very vncharitable thing in y<sup>e</sup> seruants of God to condemne such, as if soe be they were enymies to the Lorde & his

truth, whils they are soe exceeding holy & stricte in there way.

A: Bretheren, those vnder a couenant of workes, y<sup>e</sup> more holy they are, y<sup>e</sup> greater enymies they are to Ch, Paule acknowledgeth as much in y<sup>e</sup> 1 Gal: he sath he was zelus according to y<sup>e</sup> Law, & y<sup>e</sup> more he founde in a legal way, y<sup>e</sup> more he p<sup>er</sup>secuted the waies of grace, 13 & 14 Act. where al deuout people were such as did expel Paule out of Antioch, & out of all y<sup>e</sup> coasts. It maketh noe matter how seemingly holy men be, according to the law, if they doe not know y<sup>e</sup> worke of grace & waies of God; they are such as truste to there righteousness; they shal dye, sath y<sup>e</sup> Lorde, Ezek. 33, 13: what a cursed righteousness is that, y<sup>t</sup> thrusteth out y<sup>e</sup> righteousness of Ch, the Apostle speaketh they shal transforme themselues into an Angel of light, 2 Cor. 11, 14, therefore it maketh noe matter, how holy men be, y<sup>t</sup> haue noe acquaintance w<sup>th</sup> Ch. Seest thou a man wise in his owne conceite, more hope there is of a foole then of him. Pro. 26, 12. We know (thorow y<sup>e</sup> mercy of God) as soone as Ch cometh into y<sup>e</sup> soule, he maketh y<sup>e</sup> creatur noe thinge, therefore if men be soe holy, & soe stricte, & zelus, & trust to themselues & there righteousness, & knoweth not y<sup>e</sup> waies of grace, but opposeth free grace; such as those haue not y<sup>e</sup> Lorde Jesus Ch, therefore set vpon such w<sup>th</sup> y<sup>e</sup> sworde of the spirit, y<sup>e</sup> worde of God.

Ob: 3. It wil be objected, y<sup>t</sup> y<sup>e</sup> children of God should be a meeke generation, it is an exhortation y<sup>e</sup> Apostle giueeth, Jam. 3, 13.

A: fl<sup>or</sup> to fight corragiously, in y<sup>e</sup> cause of God, & to be meeke, they are diuers, but not opposits, they may stande very wel together: yow know when Steuen was in a meeke phrae, for y<sup>e</sup> spirit of God was in him, and was in a calme quiet frame & dispo<sup>si</sup>tion: & yow see what a vehement speech Steuen maide to y<sup>e</sup> enymies of God, Act 7, 51, it cutteth them to y<sup>e</sup> very harte, yet Steuen, a meeke man, he prayeth for his enymies in a meeke phraeme of spirit, & yet vehement to those that oppose y<sup>e</sup> waies of God. Ch was meeke, I am suer yow wil say, & he sath, learne of me, for I am meeke and lowly, yet when he cometh to those that did oppose y<sup>e</sup> waies of grace, yow are the children of y<sup>e</sup> Deuel, Joh. 8, 44, & in the 23<sup>d</sup> Math: 23, woe be to yow, Scribs, Pharises, hipocrits, a vehement speech he vs<sup>eth</sup>, yet Ch y<sup>e</sup> meekest y<sup>t</sup> euer was, therefore yow may eaysly beate downe thos houlds by y<sup>e</sup> sworde of y<sup>e</sup> spirit, y<sup>e</sup> worde of God.

Ob: 4 It wil be objected this wil cause a combustion in Church & comanwealth.

A: I must confesse & acknowledge it wil doe soe, but what then, did not Ch come to sende fier vpon y<sup>e</sup> earth? Luke 12, 49, & what is it, y<sup>t</sup> it were already kindled, he desireth it were kindled, & it is y<sup>e</sup> desier of y<sup>e</sup> spirit of y<sup>e</sup> saints



y<sup>e</sup> this fier were kindled; is not this that that is p<sup>r</sup>eseyed of, Isa. 9, 5. This battel betwene Michael & his Angels, y<sup>e</sup> battel betwene Gods people & those that are not, thos battels of Ch<sup>r</sup>istians must be burneing, and what is it, but y<sup>e</sup> burneing of y<sup>e</sup> worde of God, accompanied by y<sup>e</sup> Holy Goast, this prophesied of in Mal. 4, 1, y<sup>e</sup> day shal come y<sup>t</sup> shal burne like an ouen, & al y<sup>e</sup> wiced shal be stuble, &c. this is y<sup>e</sup> terrible day of y<sup>e</sup> Lorde, when the gospel is thus helde forth, this [is] a terrible day to al those y<sup>t</sup> doe not obey y<sup>e</sup> Gospel of Ch. Bretheren, we know that y<sup>e</sup> whore must be burnt, Reu: 18, it is not shaueing of her heade, & paireing her nails, & changeing her rayment, that wil serue y<sup>e</sup> turne, but this whore must be burnt. Many speake of y<sup>e</sup> external burneing of Rome, but I am suer there must be a spiritual burneing, & y<sup>t</sup> burneing by y<sup>e</sup> fier of y<sup>e</sup> Gospel. This way must Antech be consumed. 2 Thes: 2. why should we not further this fier, who knoweth how soone those Jues may be conuited, Reu: 18. 19. chap. after y<sup>e</sup> burneing of y<sup>e</sup> whore follows Alleluia, a praising of y<sup>e</sup> Lorde in Hebrue; we knowe not how soone y<sup>e</sup> conuirtion of the Jues may come, & if they come, they must come by y<sup>e</sup> downefall of Antech, & if we take him away, we must burne him, therefore neuer feare combustions & burneings.

Ob: Lastly it may be objected ag<sup>t</sup> thos cum-bats & fightings, if minesters & Ch<sup>r</sup>istians be soe downeright, & soe striue & contende, & houlde forth y<sup>e</sup> worde of God, w<sup>th</sup> such violens & power, this wil be a meanes to discourage those y<sup>t</sup> are weake Ch<sup>r</sup>istians, & doe them a greate deale of hurte.

A: Let y<sup>e</sup> Gospel be neuer soe clearely helde forth, it neuer hurteth y<sup>e</sup> children of God, noe it doth them a greate deale of good, y<sup>t</sup> same very fier of the worde, y<sup>t</sup> burneth vp al vnbeleefers, & al vnder a couenant of workes, y<sup>t</sup> Gospel doth exceedingly cleare Gods children. Mal: 4, 2. then y<sup>e</sup> sonne of righteousnes shal come w<sup>th</sup> healeing in his wings, &c. & in Math. 3, Ch when he handeleth y<sup>e</sup> gospel, he layeth y<sup>e</sup> axe to y<sup>e</sup> roote of y<sup>e</sup> tree, & what followeth heare-vpon, he will purge his flore, layeth y<sup>e</sup> axe to y<sup>e</sup> roote, & cuteth downe al hipocrits, & those y<sup>t</sup> builde vpon any thing besides Ch, & then he wil purge his Church, & gather y<sup>e</sup> wheate into y<sup>e</sup> garner, true beleuvers wil come in; vnbeleuers & hipocrits, chaffe wil be al burnt vp: soe y<sup>e</sup> same Gospel y<sup>t</sup> is a worde of terror to wiced men, is a greate comforte to all that beleeue in y<sup>e</sup> Lorde Jesus Ch.

3. Thirdly, if we meane to keep y<sup>e</sup> Lorde Jesus Ch, we must be willing to suffer any thinge, yow knowe in 12 Reu: 11, the saints of God ouer came, & ouer came by y<sup>e</sup> bloode of y<sup>e</sup> Lambe, y<sup>t</sup> is, by y<sup>e</sup> Lorde Jesus Ch, & worde of y<sup>e</sup> testimony, y<sup>t</sup> is, the Gospel, & they loue not there

liues to death, y<sup>t</sup> is, if we wil ouercome, we must not loue our liues, but be willing to be killed like sheepe; it is vnpossible to houlde forth y<sup>e</sup> truth of God w<sup>th</sup> external peace & quietnes, if we will prauaile, if we be cauled, we must be willing to lay downe our liues, & shal ouercome by soe doeing; Samson slew more at his death, then in his life, & soe we may prauaile more by our deathes, then by our liues.

4. fourthly, if we wil keepe Ch, we must consider y<sup>t</sup> we can not doe any of this, by any strength y<sup>t</sup> is in our selues, but we must consider y<sup>t</sup> it is y<sup>e</sup> Lorde y<sup>t</sup> must helpe vs & acte in vs, & worke in vs, & y<sup>e</sup> Lorde must doe all. When as Zerobabel & Joshua & y<sup>e</sup> people came out of captiuitie to builde y<sup>e</sup> temple, they al take there rest, & leteth y<sup>e</sup> temple alone, til y<sup>e</sup> Lorde come & stirre vp y<sup>e</sup> spirit of Zerobabel & Joshua & y<sup>e</sup> people, & then they falle of building: soe (bretheren) we may thinke to doe greate matters; and lye quiatly & calmly, & let y<sup>e</sup> enymies of y<sup>e</sup> Church doe what they wil, till y<sup>e</sup> Lorde stirre vs vp; y<sup>e</sup> Judges stired not, till the spirit of God came vpon them, & then they did wonderful things, soe in some measure we must looke for y<sup>e</sup> spirit of y<sup>e</sup> Lorde to come vpon vs, & then we shal doe mighty things thorow y<sup>e</sup> Lorde, it is y<sup>e</sup> Lorde himselte y<sup>t</sup> must effecte & doe all: this for the first exhortation, not to suffer the Lorde Jesus Ch to be taken violently away from vs, wheresoe euer we liue, we shal finde some y<sup>t</sup> goe vnder a couenant of workes, & those are enymies to Ch, & y<sup>e</sup> flesh will luste ag<sup>t</sup> y<sup>e</sup> spirit, &c. Gal: 5, 17, & soe we shal finde it in our spirits, those y<sup>t</sup> are in y<sup>e</sup> flesh, mind the things of y<sup>e</sup> flesh, Rom: 8, 5; therefore, wheresoe euer we are, we shal haue Ch taken away from vs by violence, if y<sup>e</sup> Lorde be not pleased to giue vs to use those meanes.

Vse 2. The second vse of exhortation, we y<sup>t</sup> are vnder a couenant of grace, let vs all haue a caire soe to carry our selues y<sup>t</sup> we may haue y<sup>e</sup> p<sup>r</sup>esens of the Lorde, y<sup>t</sup> he may not depte from vs; for if y<sup>e</sup> Lorde depte, then we shal haue cause of morning indeede. Y<sup>t</sup> we may carry and behaue our selues, as y<sup>e</sup> Lorde Jesus Ch, who is amongst vs, y<sup>t</sup> he may stil be more & more p<sup>r</sup>esent w<sup>th</sup> vs.

1. We must haue a spetial caire, in the first place, y<sup>t</sup> as any of vs is interested w<sup>th</sup> the gospel, soe to deale faithfully in the despencing of it, whether we be in place or not in place, whether bretheren or sisters, being maide pakers of the grace of God, being maide stuards, we are to be founde faithful, therefore let vs haue a caire to deale faithfully, & hould forth y<sup>e</sup> truth, as it is in the Lorde Jesus Ch, & then we shal finde y<sup>e</sup> Lorde to be p<sup>r</sup>esent w<sup>th</sup> vs, Math: 28, 28. Behould I am w<sup>th</sup> yow, if y<sup>e</sup> teach y<sup>t</sup>, y<sup>t</sup> he hath comanded, he wil be w<sup>th</sup> them, therefore in y<sup>e</sup> feare of God haue a caire, y<sup>t</sup> we do renounce y<sup>e</sup> hidden things of dishonesty, & we doe not vse

any deceate. Let vs not be as some y<sup>t</sup> doe corrupte y<sup>e</sup> worde, but as in senserity, in y<sup>e</sup> sight of God, as in Jesus Ch: soe let vs speake, let vs all haue a caire to hould forth Ch, & not runne into generalities. If Ch vanish away in a cloude, y<sup>e</sup> saints of God stande gaieing, & haue sad harts, when we are to houlde forth any truth, let vs deale faithfully in this kinde, & y<sup>e</sup> Lorde wil be abundantly p<sup>r</sup>sent, we shal finde he shal be a Saueour where soe euer he cometh either of life or death, & if we be faithful in a few things, he wil make vs rulers ouer many, Math. 25: therefore if we meane to inioy y<sup>e</sup> p<sup>r</sup>sence of Ch, & stail to haue more of y<sup>e</sup> Lorde Jesus Ch, & haue Ch to come and say, good & faithful seruant, & bestowe more of his p<sup>r</sup>sens amongst vs, let vs be faithful in despenceing any worde of truth.

2. Secondly, let vs haue a caire, al of vs, y<sup>t</sup> we loue one an other; this is my comandement y<sup>t</sup> ye loue one an other, as I haue loued yow, 1 Joh. 3, 23: y<sup>e</sup> Lorde Ch delighteth in a loueing people, when the saints of God loue one an other, and are willing to lay downe there liues one for an other, y<sup>e</sup> Lorde delighteth in it, Ch was loueing when he was vpon the earth, if the desiples were in danger at any time, he came & supported them, & helped them, when they were poased by the scribes & pharises sometimes he came & answered for them. Act 2, 15. sum mocked at them, then Peter stepeth vp & sath, thos are not drunke as ye suppose, he loued them and answered for them. Moses seeing an Egyptian striueing w<sup>th</sup> his brother, he came & killed him. Act. 7, 24, 25, 26; soe Ch puteth into his people a loueing spirit, therefore let vs haue a caire y<sup>t</sup> we doe not alienate our harts one from an other, because of diuers Kindes of expressions, but let vs keepe y<sup>e</sup> vnity of the spirit in the bonde of peace, let vs haue a caire to loue one an other, & then y<sup>e</sup> Lorde Jesus Ch wil be stil more & more p<sup>r</sup>sent.

3. Thirdly, let vs haue a caire that we doe shew our selues holy in all maner of good conuirsation, 1 Pet. 1, 5, both in priuat & publique, & in all our carriges & conuersations, let vs haue a caire to indeuour to be holy as y<sup>e</sup> Lorde is; let vs not giue ocaeyon to those y<sup>t</sup> are coming on, or manifestly opposite to y<sup>e</sup> waies of grace, to suspect y<sup>e</sup> way of grace, let vs cary our selues that they may be ashamed to blaime vs; let vs deale vprightly w<sup>th</sup> those with home we haue ocaeyon to deale, & haue a caire to guide our famylis, & to p<sup>r</sup>forme duties y<sup>t</sup> belonge to vs; & let vs haue a caire y<sup>t</sup> we giue not ocaeyon to others to say we are libertines, or Antinomens, but Chitians; let vs expresse y<sup>e</sup> vertue of him y<sup>t</sup> hath cauled vs, & then he wil manifest his p<sup>r</sup>sence amongst vs, John 14, if yow loue me I wil manifest my selfe to yow; he wil crowne his owne worke w<sup>th</sup> his p<sup>r</sup>sence, he wil come into his garden, & eate of the pleasant fruts: therefore let vs

carry our selues, soe y<sup>t</sup> we may haue no cause of mourning, for if y<sup>e</sup> Lorde be absente, there is cause of morneing.

Vse. 3. The third vse for reproofe, & first it serueth to condemne al such as in there fastings & dayes of humiliation doe principely & aboue al seeke for blesseings to be peured, & euels to be remoued, and this is y<sup>t</sup> that they are first carryed vnto, this is not y<sup>e</sup> maine matter, y<sup>e</sup> maine matter is, the absens of y<sup>e</sup> Lorde; therefore if we wil doe as we ought to doe, and p<sup>r</sup>forme this duty aright way, we must first of all be carryed vnto the Lorde Jes. Ch: they may peure greate blesseings frome y<sup>e</sup> Lorde, & yet y<sup>e</sup> Lorde neuer accept of them, they may pray to y<sup>e</sup> Lorde, & fast & humble themselves, & y<sup>e</sup> Lord may heare them & p<sup>r</sup>don them, & turne away his wrath; & yet for all y<sup>t</sup>, neuer saue them, how did the Lorde carry himselfe towards the people of y<sup>e</sup> Jues, yow know the Lorde gaue them his p<sup>r</sup>sence in the wildernes, & gaue them an extraordinary signe of his p<sup>r</sup>sence, they had a pillar of fier by night & cloude by day, & the Lorde did cause y<sup>e</sup> angel of his p<sup>r</sup>sence to goe before them, & gaue them his good spirit to instructe them, Isa. 63. & yet for all y<sup>t</sup>, y<sup>e</sup> body of them was lipoerits, & y<sup>e</sup> Lorde sware in his wrath, y<sup>t</sup> they should neuer enter into his rest, what is y<sup>e</sup> matter, they peure vnto themselves things from God & y<sup>e</sup> blesseing of God; but they did not get y<sup>e</sup> Lorde himselfe, they had y<sup>e</sup> Angel of Gods p<sup>r</sup>sence to goe before them, they had not y<sup>e</sup> Lorde Jesus Ch in them, they had y<sup>e</sup> spirit to instructe them, but not y<sup>e</sup> spirit to dwell in them, they peure to themselves blesseings from y<sup>e</sup> Lorde, but they neuer get the Lorde of blesseings: therefore al those y<sup>t</sup> doe turne vnto those blesseings in y<sup>e</sup> first place, & doe not first of al turne vnto the Lorde, wil neuer be maide ptakers of y<sup>e</sup> Lorde.

2. The second sorte to be condemned, are all such as doe set themselves ag<sup>t</sup> y<sup>e</sup> Lorde Je. Ch. such are y<sup>e</sup> greatest enymies to y<sup>e</sup> staite y<sup>t</sup> can be, if they can haue there wils, yow see what a lamentable estaite both church & coman welth wil be in, then we haue neede of morneing. the Lorde he cannot indure those y<sup>t</sup> are enymies to himselfe & people, & vnto y<sup>e</sup> good of his church, such shal neuer be able to p<sup>r</sup>uaile ag<sup>t</sup> the Lorde. What wil be the end & Issue, doe yow thinke, if people doe set them selues ag<sup>t</sup> the waies of grace & y<sup>e</sup> Lorde Jesus Ch? this wil be y<sup>e</sup> Issue of it, those that oppose y<sup>e</sup> waies of grace, & resist the truth, they shal waxe worse & worse, 2 Tim. 3, & they may happily p<sup>r</sup>seede a great way, but y<sup>e</sup> time wil come that they shal goe noe further, & by reason of y<sup>e</sup> agitations of things, it wil come to passe, y<sup>t</sup> y<sup>e</sup> truth wil be cleared, & there follye wil be manifested to al men, soe sath y<sup>e</sup> Apostle; it is a harde thinge to kicke ag<sup>t</sup> the pricks. Act. 9, 5, who soe euer striueeth ag<sup>t</sup> y<sup>e</sup>



Lorde can not psper : if men or women doe faule vpon y<sup>e</sup> Lorde Jes. Ch they breake, but if y<sup>e</sup> Lorde Jes. Ch doe faule vpon them, he wil breake them all to pouder, if any faule vpon Ch, & they will not let Ch alone; but faule vpon them w<sup>ch</sup> houlde him forth, & wil abuse them, & be buffetting y<sup>e</sup> Lorde Je Ch, there is neuer a stroke they giue, but maketh wounds in their consciences, but if they wil be heaueing out Ch, they shal finde it y<sup>e</sup> heauiest stone that euer was, it wil faule & breake them all to pouder, if people set themselves ag<sup>t</sup> y<sup>e</sup> Lorde, & ye waies of grace, & his truth, this wil be y<sup>e</sup> issue of it on there pte, either those y<sup>e</sup> set [them] selues ag<sup>t</sup> y<sup>e</sup> waies of God, y<sup>a</sup> wil be put to silence by y<sup>e</sup> light y<sup>t</sup> cumeth from Ch., y<sup>t</sup> they wil be soe conuinsed, y<sup>t</sup> they shal not be able to speake any more in there cause, as Ch put downe those that came ag<sup>t</sup> him, y<sup>e</sup> they durst aske him noe more questions, & there cumeth such a power from y<sup>e</sup> worde helde forth by y<sup>e</sup> saints of God, y<sup>t</sup> it wil strike a feare into there harts y<sup>t</sup> oppose it. What ailest thou, O Jordan, y<sup>t</sup> y<sup>e</sup> fluds goe backe, tremble thou earth at y<sup>e</sup> p<sup>s</sup>ens of y<sup>e</sup> Lorde, y<sup>a</sup> that cum to take Ch, they fel backe, there cumeth a deuine power from y<sup>e</sup> Lorde, & turneth them al backe, y<sup>e</sup> Lorde wil strike w<sup>ch</sup> trembling those y<sup>t</sup> cum ag<sup>t</sup> Jerusalem, or if they be not put to silence, it wil come to passe in time, they wil faule into wonderful stronge passions, & wil quaril w<sup>th</sup> y<sup>e</sup> saints of God: it was y<sup>e</sup> caise of Zedekiah & Micaiah, y<sup>e</sup> question was w<sup>ch</sup> of them had y<sup>e</sup> spirit of God, he came & smott y<sup>e</sup> p<sup>f</sup>et vpon the cheek, but God's spirit is noe smiteing spirit. Steuen conuinsed y<sup>e</sup> Jues, & did by y<sup>e</sup> power of y<sup>e</sup> Holy Goast, euidence his cause to be y<sup>e</sup> cause of God, and y<sup>a</sup> were not able to resist y<sup>e</sup> spirit by w<sup>ch</sup> he spake, & they al came & runne vpon him, why doe yow resiste y<sup>e</sup> Holy Goaste? what maketh y<sup>e</sup> sin ag<sup>t</sup> y<sup>e</sup> Holy Goaste, but enlightening, & seting them selues ag<sup>t</sup> y<sup>e</sup> waies of truth, & psecuting it in malis & wrath; it is a fearful thing to faule into y<sup>e</sup> hands of y<sup>e</sup> liueing God. Heb. 10, 31, for our God is a consumeing fier, Heb. 12, 29, let euery one (in the feare of God) haue a caire, how they set themselves ag<sup>t</sup> y<sup>e</sup> truth & waies of God, & y<sup>e</sup> waies of Jesus Ch, for we must al appeare before y<sup>e</sup> Judgement seate of Ch. 2 Cor. 5, 10.

Vse 4. The last vse shal be for consolation, (howsoeuer this be a day of humiliation, yet y<sup>e</sup> apprehension of Gods grace, and mercy, & goodness, it worketh y<sup>e</sup> kindest humiliation, sins are to be considered & looked vpon, but sins ag<sup>t</sup> y<sup>e</sup> God of grace may melte one: in y<sup>t</sup> day I will power vpon them y<sup>e</sup> spirit of grace, & they shal morne, &c. Zack: 12, 10. therefore y<sup>e</sup> last vse shal be for consolation,) & it may serue to cumforte the childrenen of God, w<sup>ch</sup> doe houlde forth y<sup>e</sup> Lorde Jesus Ch, & doth desier y<sup>t</sup> y<sup>e</sup> Lorde Je

Ch might be receiued into churches, into phamy-lies, into y<sup>e</sup> harts of y<sup>e</sup> people of God. (brethren) those y<sup>t</sup> walke this way, are y<sup>e</sup> greatest freinds vnto y<sup>e</sup> church & vnto coman welth; they intende, & labour, & indeauour to bringe in y<sup>e</sup> Lorde Je Ch, & if Ch be p<sup>s</sup>ent, there wil be noe greate cause of fasting & morneing: therefore let me (in y<sup>e</sup> name of God) incorage al those y<sup>t</sup> houlde forth the waies of grace & doe indeauour to make knowne y<sup>e</sup> Lorde Jesus Ch. Brethren & Sisters endeauour to bringe Ch into y<sup>e</sup> harts of people, & then yow shal make y<sup>e</sup> Church happie, & yo<sup>r</sup> selues shal be happie; lifte vp yo<sup>r</sup> heads O ye gaites, &c. Psal. 24, 7, bringe the Lorde Je Ch not onely into thy howse, but into thy chamber of him y<sup>t</sup> did beget yow, endeauour it for this is God's way, & it is a way to bringe peace & happynes, both to church & coman welth.

Secondly, it may cumforte y<sup>e</sup> saints of God in this respect, y<sup>t</sup> seeing y<sup>t</sup> the Lorde Je Ch his absence is y<sup>e</sup> cause of fasting & morneing, this is a cumforte to y<sup>e</sup> childrenen of God, y<sup>t</sup> cum what wil come, they shal be in a happy estaite, they shal be blessed, suppose those that are Gods childrenen should loose there howses, & lands, & wiues, & freinds, & loose y<sup>e</sup> actings of y<sup>e</sup> gifte of grace, & loose y<sup>e</sup> ordenances, yet they can neuer loose y<sup>e</sup> Lorde Je Ch; this [is] a greate cumforte to Gods people: suppose the saints of God should be banished, depriued of al the ordenances of God, y<sup>t</sup> were a harde caise (in sum respect) for we had better pte w<sup>th</sup> al, then y<sup>e</sup> ordenances; but if y<sup>e</sup> ordenances should be taken away, yet Ch can not, for if John be banished into an Iland, Reu. 1, 9, 10, & y<sup>e</sup> spirit cum vpon him on y<sup>e</sup> Lord's day, there is amends for the ordenances, amends for banishment, if we loose y<sup>e</sup> ordenances for God, he wil be ordenances to vs. Therefore let y<sup>e</sup> saints of God be incoraged, though they should loose al they haue, yet they being maide one in Ch, & Ch dweling in there harts by faith, they may be pswaded noethinge can separte them from Ch. Rom. 8, 38, 39: therefore let y<sup>e</sup> saints of God reioyse y<sup>t</sup> they haue y<sup>e</sup> Lorde Je Ch, & there names written in y<sup>e</sup> booke of life, be glad & reioyce, for greate is yo<sup>r</sup> rewarde in heauen.

## XII.—THE RECORDS OF THE CITY OF NEW AMSTERDAM—CONTINUED.

### IN COMMON COUNCIL.

*Resolved.* That permission is hereby given to Henry B. Dawson, Editor of THE HISTORICAL MAGAZINE, to make copies of and to publish in that work, from time to time, such portions of the ancient Records of this Corporation and such of its papers on file as, in his opinion, shall serve to illustrate the early history of this State and City, and the character and habits of the inhabitants, provided the same shall be done un-



der the direction and supervision of the Clerk of the Common Council; and that the said Records shall not be removed from the Clerk's Office.

Adopted by the Board of Aldermen, December 6, 1866.

Adopted by the Board of Councilmen, December 10, 1866.

Approved by His Honor the Mayor, December 13, 1866.

D. T. VALENTINE,

Clerk of the Common Council.

[Original, 51, 52; Translation, 72-74.]

THE Director General and the Councillors of New Netherland To all persons who shall see or hear these presents read, Greeting:

They give notice, that for the purpose of preventing all calamities by fire, they have long since condemned all *Flag roofs*, *Wooden* and *Platted chimneys*, within this City;\* and, also, to that end, have appointed Firewardens† and Inspectors of Buildings,‡ which Statutes and Ordinances the Director General and the Councillors aforesaid have repeatedly published and renewed; yet, unto the present time they have been by many of the Inhabitants carelessly or obstinately neglected, either because the penalty and fine therein established is too trifling or because the penalties have not been inflicted and collected; which neglects have all along occasioned several calamities and accidents by fire, and more such are to be apprehended, yea, even the entire destruction of this City, in regard to the buildings which are now daily going up, so that it is necessary to make provisions in the case, To which end, the Director General and the Councillors aforesaid have not only judged it to be right and necessary to revive their former enactments and Proclamations, but, also, to amplify and amend them, wherein they were deficient, or to cause them to be promptly executed. To that end, the Director General and the Councillors aforesaid [73] do Ordain that all *flag roofs*, *wooden chimneys*, *hay-barracks*, and *hay-stacks* shall be taken down and removed, within the term of Four months after the publication of these Presents, under the penalty of Twenty-five Guilders for each and every month,—and the penalty shall be promptly executed,—for every house, small or great, hay-barrack, or hay-stack, or wooden chimney, within the walls of this City, after the expiration of the Four months aforesaid, to the inclusion of hen-houses and hog-pens: the fines to be appropriated, One-third to the officer who shall enforce the law and Two-thirds to the behoof of the City; and if, in the mean time, in any such chimneys or houses, any fire shall take place, a four-fold fire penalty shall be paid for it, to wit:

One hundred Guilders, to be appropriated according to the Proclamations heretofore issued.

Whereas, furthermore, in all well-regulated Cities and Corporations it is customary that *Fire-buckets*, *Ladders*, and *Hooks* are in readiness at the corners of the streets and in public houses, for the time of need, and these things are here more necessary than ever before, through the paucity of stone houses and the abundance of wooden-buildings within this City, erected by one and the other, the Director General and the Councillors do Ordain and Authorize, in these premises, the Burgomasters of this City, either personally or by their Treasurer, to promptly demand for every house, whether small or large, ONE BEAVER, or Eight Guilders, in Seawant, [74] according to the established price, for the purpose of ordering, from the revenue of the same, by the first opportunity, from Fatherland, Two hundred and fifty leathern Fire-buckets; and out of the surplus to have made some Fire-ladders and Fire-hooks: and, in addition to this, once a year, to demand for every *Chimney*, One Guilder, for the support and maintenance of the same.\*

Thus done in the Session of the Director General and the Councillors, held in Fort Amsterdam, in New Netherland, this 15<sup>th</sup> day of December, Anno, 1657.

C. V. RUYVEN,  
Secretary.

[Original, 52; Translation, 74, 75.]

WHEREAS, the Director General and the Councillors of New Netherland, to their sorrow, do daily observe that their former issued Orders, enacted against quarreling, fighting, striking and suiting, are not practised, observed, and executed, according to their good intent and meaning, as it is becoming; but, by some frolicsome persons, for the utterance of one word, it is contemned and trodden under foot, on account of the trifling fine in the aforesaid premises, as it is sufficiently evident; and, Whereas, some persons do not hesitate to twit the Officers that it is not more than One Pound, Flemish, in Seawant;

Therefore, being desirous of preventing farther accidents resulting from such fighting, The Director General and the Councillors do, by these Presents, [75] peremptorily interdict and forbid any Street riots and quarrels, much more the beating and striking of one another, which can occasion nothing else than bitterness, calamities, yea, homicide, under the penalty of the transgressors' paying, for One single blow with the fist, Twenty-five Guilders; and in case blood shall be drawn, Four times as much; and in case such shall happen in the presence of the Officer, Burgomasters,

\* Vide, Orders dated January 23, 1648; and January 18, 1656.—H. B. D.

† Vide, Orders dated January 23, and September 28, 1648; April 13, 1655 (*App. LXIX.*) and January 18, 1656 (*App. LXXXVII.*)—H. B. D.

‡ Vide, Orders dated July 25, 1647; and December 15, 1648.—H. B. D.

\* Vide, Order dated January 23, 1648.—H. B. D.

or Schepens, a double fine, to be applied as the Law directs.\*

Let every one be warned hereof, and take heed of damage.

Thus done at Fort Amsterdam, this 25<sup>th</sup> day of December, Anno, 1637.

[Original, 53-55; Translation, 75-79.]

The Director General and the Councillors of New Netherland, by daily experience, have seen and observed that the foregoing Orders and Proclamations have not been regarded according to the good intent of the same; but that, notwithstanding the repeated renovations thereof, many large and spacious lots, even in the best situated parts of this City, remain unimproved, and by the possessors and owners are held in reserve, either for greater profit or for their pleasure, and thereby this City is checked in its population, extension of business, and consumption, and, also, in the style of building, whereto new-comers might be encouraged in case such persons [76] could procure a lot, in an eligible place, for a reasonable price:

In conformity with the Proclamations, heretofore issued,† the neglectors, if not countenancers, in holding in reserve so many large and spacious lots, either for their profit or pleasure, because, by the before-issued Proclamations, no penalty, fine, or forfeiture was incurred by such neglect or omission; and, since the possessors and owners have held the lots for years, without any burdens, reserving them for greater profit or using them at their pleasure for orchards and gardens, whereby the building and population are retarded, and, consequently, the increase of the Commerce, Consumption, and Prosperity of this City, contrary to the benevolent intention and meaning of their High Mightinesses, the Directors of the Privileged Company, Lords and Patroons of this Province, as the first donors and grantors of these lots for this purpose; that for the scattering the population, increasing the number of inhabitants, the Commerce, the Consumption, and the Prosperity of the City, these lots should be built upon, as expressed in the granted *Ground-briefs*, together with the consequent stipulation and submission of such costs as shall be established by well-qualified persons, or by those daily authorized; For the observance and execution of the same, the Director General and the Councillors aforesaid, having long before this, through their sworn Surveyor, with the assistance of this City, at the arrangement of the streets, sur[77]veyed the vacant and unimproved

lots, and found some hundred lots within the walls of this City, vacant and unimproved; that these lots, according to the good intent and meaning of their High Mightinesses the Directors aforesaid, and in conformity with the former-issued Proclamations, may be the sooner built upon, it being certainly disorderly to possess such large and spacious lots, either for profit or pleasure, without being subject to any burden; and that those disposed to build may be accommodated with lots at a reasonable price, the Director General and the Councillors, in amplification of the before-issued Proclamations, by these Presents, do Ordain that all vacant and improved lots, as they have long since been surveyed and laid out by the Surveyor of the Director General and the Councillors, after the Publication and Affixing of these Presents, shall be taxed and appraised, first of all by the Possessor and Owner, himself, that he may not hereafter complain of the undervaluation; and that as long as the owners shall retain the lot or lots, or shall let them lie without having suitable and tenantable houses built thereon, he shall, yearly, in two installments, pay the fifteenth penning, One-half on May-day and the other half on the Fair-day of this City, the revenue to be applied to the Fortification of this City and its repairs; and the Burgomasters are hereby authorized and command[78]ed, after the publication of these Presents, to summon the owners of these lots, without any respect of persons, to appear before them at the Council-house of this City, to attend to the taxation, and by their Secretary to make a record thereof, as the Law directs, and to place the revenue in the care of their Treasurer; and, in case of opposition or refusal, in a Christian manner to amend such. Such lots to be appraised according to their value and the situation of the place, Provided however, that it be left to the option of the Possessor and Owner, whether the lots appraised by the Burgomasters shall appertain to themselves, by their paying the aforesaid Fifteenth Penning, or, otherwise, to give them over, at that price, to the Burgomasters, for the behoof of the City: in the same manner, also, on the other hand, it is left to the option of the Burgomasters aforesaid, to take the lots at the appraisal of the owners, on account of the City, and to offer them for sale at that price, to other admirers who are disposed and prepared to build, in case the owner, himself, will not or is not able to build in conformity with the foregoing Proclamation, or to leave them in the possession of the owner, until they shall have been built upon by him or by others, when the imposed [79] tax, laid for weighty reasons on unimproved lots, shall cease.

And the better to promote immigration, and the prosperity and the strength of this city, the Director General and the Councillors do *Ordain*.

\* Vide, Order dated May 31, 1647, and the numerous Orders regulating Taverns.—H. B. D.

† Vide, Orders dated July 25, 1647, and December 15, 1648.—H. B. D.



and *Command*, that, from this time forward, by and within the walls of this city or its gates, within the jurisdiction of the same, no Dwelling-houses shall be permitted to be built, before all the lots herein aforesaid shall have been suitably built upon.

Thus done in the Session of the Director General and the Councillors, at the Fort Amsterdam, this 15 day of January, Anno, 1658.

P. STUYVESANT,

C. V. RUYVEN, Secy

[Original, 56; Translation, 79, 80.]

WHEREAS, the Director General and the Councillors of New Netherland have not only been informed, but have, themselves, seen and remarked, that some persons, after the Publication and Proclamation of their Banns of Matrimony for the third time, do not further the consummation of their marriage, as is becoming, but are putting off the same, from time to time, not only for weeks but for months, which is directly in contravention of and contrary to the excellent order and custom of our Fatherland: Therefore, being desirous of making provision in the premises and for the purpose of preventing, for the time to come, all the injury and irregularity flowing therefrom, the Director General and the Councillors aforesaid do hereby Ordain, that all persons whose Banns have been published, after the third Proclamation shall have been made and no lawful impediment occurring, shall cause their Marriage to be solemnized at the longest within One month after the last Proclamation, or, within the said term, to appear and render in his reasons for his refusal, as it behooves him; and this under the penalty of Ten Guilders for the first week after the expiration of the aforesaid month, and for the succeeding weeks, Twenty Guilders for each week, until the time he shall have made known the reason of his refusal.

FURTHERMORE, no male and female shall be permitted to cohabit, before they shall have been lawfully married, in the penalty of One hundred Guilders, or as much less or more as their circumstances shall be found to warrant.

Such persons may be amerced anew every month by the Officer, according to the order and customs of our Fatherland.

Thus done, in the Session of their High Mightinesses the Director General and the Councillors, held at Fort Amsterdam, in New Netherland, this 15<sup>th</sup> day of January, Anno, 1658.

P. STUYVESANT

C. VAN RUYVEN, Secy.

[Original, 60-62; Translation, 85-90.]

THE Director General and the Councillors of New Netherland To all persons who shall see or hear these presents read, Greeting:

BE IT KNOWN, that they (notwithstanding the reduction of the value of the Seawant at the General Compting-house, from Six to Eight White, and from Three to Four Black Seawants for one Stuyver] through the Remonstrance of the Burgomasters and Schepens of this City, as well by the information of others, have come to the knowledge of the great, excessive, and intolerable high price of necessary commodities and family articles, through the abundance of the Seawant in trafficking for Beavers, which have been driven up to Sixteen Guilders and upwards for one Beaver, according to which price all family commodities and the common daily necessities take the same course, so much so that the Shopkeepers, Mechanics, Brewers, Bakers, Tapsters, and common Grocers make a difference of Eighty, [86] Ninety, nay, even One hundred per cent, whether they sell their labor or their goods for Beaver or for Seawant, the Director General and the Councillors aforesaid have been induced and persuaded, by the particular request of the Burgomasters and Schepens of this City, to permit the Seawant to pass agreeably to the foregoing reduction of the Compting-house, to wit: in place of Six, Eight White, and instead of Three, Four Black Seawants, for one Stuyver; YET, WHEREAS, from past experience, not the imaginary but the probable result will be, that, through this *reduction*, the complaints concerning the high prices or the disproportion betwixt the payments in Beaver and Seawant will not be remedied; but, on the contrary, we have a right to presume that the Trader, for the greater number of Seawants for the Stuyver he receives, the greater length of the *hand* or of the *fathom* he will have to give for the Beaver, and, consequently and necessarily, the high prices must continue for such necessities as Beer and Bread, and will be justified under the cloak of the great disproportion betwixt the Seawant and the Beaver: The which, for the time to come, to remedy and prevent, as far as it is practicable, The Director General and the Councillors cannot [87] devise any better expedient or means than what they have repeatedly declared, to wit: an absolute traffic upon the principle, to sell and buy according to value and quality of the article, to barter and exchange by the measure or the Guilder, as the parties, the Buyer and Seller, can agree; and that the payment in Seawant, above Twenty Guilders, by right shall not be valid unless by written contract or by the agreement of the parties it appears to be quite otherwise. Yet, as much as the Seawant, though the deficiency of ready money and for the daily necessities of the



family, must serve between the Buyer and the Seller, the Director General and the Councillors have come to the conclusion not to reduce the Seawant, but the necessities, such as Bread, Beer, and Wine; and to fix them according to the worth of the Beavers, as the common market price is among their associates.\*

Wherein the Director General and the Councillors Order and Command the Bakers, Brewers, Tapsters, and other retail-dealers, not to sell the Bread, Beer, and Wine at a higher price than the price established by the Director General and the Councillors, and, also, by the respective subordinate rulers, each in his own jurisdiction, with the Consent of the Director General and the [88] Councillors: WHEREIN, to prevent the too great clamor and noise about the high prices, and to establish some order concerning the necessary family articles,—Bread, Beer, and Wine—which should be regulated and reduced according to other things, the Director General and the Councillors, with the communication and advice of the Burgomasters of this City, have determined, resolved, and ordained, and, by these Presents, they do Ordain, that the Brewers, Tapsters, Bakers, and other Shopkeepers and Common Grocers, shall sell daily, necessary, family commodities to the Buyer at Three different prices, to wit: Silver money, Beavers, or Seawants, as by the present provisions, throughout the Provinces, it has been reduced; to wit: Eight White or Four Black, for one Stuyver; in conformity with which standard the Brewers shall deliver One Barrel of good Beer for Ten Guilders, in Silver money, according to the Holland value of Fifteen Guilders in Beavers, the Beaver at Eight Guilders to Twenty-two Guilders in Seawants—Eight White or Four Black for One Stuyver; the Small Beer, Three Guilders in Silver, Four and a half Guilders in Beaver, and Six Guilders in Seawant.†

[89] THE TAPSTERS.

*By the Vaan.*‡ Six Stuyvers in Silver money; Nine Stuyvers in Beavers; and Twelve Stuyvers in Seawant.

*By the Can, for French wine.* Eighteen Stuyvers in Silver money; Twenty-four Stuyvers in Beavers; Thirty-six Stuyvers in Seawant.

\* The Currency was a subject which seems to have thrust itself into the Council Chamber at New Amsterdam quite as often and with quite as cool a welcome as in more modern times, it has come before the Congress of the United States; and we are not inclined to yield to the latter body any more credit in its management of the subject than I am disposed to yield to the Dutch, two hundred years ago.

The reader, by turning to Orders dated November 30, 1647; May 30, and September 14, 1650, will find other Legislation on the subject.—H. B. D.

† Vide, Orders dated November 19, 1653 (App. XXVII.), November 29, 1655 (App. LXXXII.), etc.—H. B. D.

‡ About two quarts.—TRANSLATOR.

*By the Can, for Spanish Wine.* Twenty-four Stuyvers, in Silver money; Thirty-six Stuyvers in Beavers; Fifty Stuyvers in Seawant.

*By the Gill, for Brandy-wine.* Five Stuyvers in Silver money; Seven Stuyvers in Beavers; and Ten Stuyvers in Seawant.\*

THE BAKERS.

*The Coarse Wheat Loaf of Eight pounds weight.* Seven Stuyvers in Silver money; Ten Stuyvers in Beavers; and Fourteen Stuyvers in Seawant.

*The Rye Loaf of Eight pounds weight.* Six Stuyvers in Silver money; Nine Stuyvers in Beavers; and Twelve Stuyvers in Seawant.

*The White Loaf of Two pounds weight.* Four Stuyvers in Silver money; Six Stuyvers in Beavers; and Eight Stuyvers in Seawant.†

[90] Thus done, resumed, and approved, in the Session of the Director General and the Councillors of New Netherland, held at Fort Amsterdam, in New Netherland, this 11th day of November, 1658.

Signed by P. STUYVESANT and the Councillors.  
C. V. RUYVEN, Secy.

• [Original, 64; Translation, 91, 92.]

THE Director General and Councillors of New-Netherland &c.

WHEREAS, daily, there are great complaints and clamours, that the Posts, Rails, Pales, and other Fencings around Grain-land and Gardens, made with great expense, trouble, and labor of the Inhabitants, for the preservation of their sowing and planting, are stolen by night and by day, in which, if there be no seasonable provision made, it is to be feared that what has been sown and planted and what may yet be sown and planted will be wholly trodden down and destroyed by the Cattle, through the deficiency of fencing, and for the next year there will be no grain reaped from the acre; to prevent which, [92] the Director General and the Councillors aforesaid, with the advice of the Burgomasters and Schepens of this City, desirous of making provision herein, as far as is practicable, Do by these Presents, peremptorily warn all and every one, of whatever state and condition he may be, and peremptorily command that, from this time forth, no person shall strip any Gardens, Sowings, or Plantations, of Posts, Rails, Pales, or other Fencing, under the penalty, on the conviction of any person of having wholly or partially stripped away any fencing; for the First offence, of

\* Vide, Orders dated June 5, 1651 (App. XIU.), November 19, 1653 (App. XXVIII.), November 29, 1655 (App. LXXXII.), etc.—H. B. D.

† Vide, Orders dated June 5, 1651 (App. XIII.), November 19, 1653 (App. XXVII.), etc.—H. B. D.

being Whipped and Branded, and for the Second offence, of being punished with the Cord until death ensues, without any reserve or respect of persons. And if, after this date, any person who knows of any robbing of fields or gardens of Posts, Rails, Clap-boards, and such like, will give information thereof, he shall receive honor, and his name will be concealed.\*

Let every one take warning.

Thus done at Fort Amsterdam, in New Netherland, this 9th day of October, 1655. Revived the 30th day of December, 1658. At the Stadthouse of the city of Amsterdam in N. Netherland this 7th day of January, Anno, 1659.

### XIII.—JANE MCCREA.

BY WILLIAM L. STONE, ESQR.

G. H. M., in the HISTORICAL MAGAZINE for January, pertinently asks, what disposition Messrs. Lossing and Stone "have made, or we are" to make, of the contemporary accounts of those "who, certainly, *ought to have known* what they "were writing about, and whose statements can "hardly be overthrown or set aside by those traditions on which the new version rests?" G. H. M. might have added to the names of "Mr. Lossing and Mr. Stone," those of Alfred B. Street, Doctor Shea, (in his notes to Mrs. Coghlan,) Mrs. Coghlan herself, and the contemporaneous accounts of those on the spot, such as General Morgan Lewis, Robert Ayers, and Surgeon General Bartlett.

But this question is not to be answered by mere *authority*, however respectable, but by *proof* of facts, neither traditional nor newer in version than July 27th, 1777; and such as have been established by the corroborative testimony of Mrs. McNeal, herself, and Mrs. Tearse, a lady of much intelligence and unquestionable veracity. The latter's means of knowledge were abundant, since she participated in an investigation of the facts of the tragedy at Moos street, in July, 1777, and resided with her grandmother, Mrs. McNeal, from that time till the latter's decease—Mrs. McNeal having devised and bequeathed her estate to Archibald Campbell Tearse and William Hunter Tearse, charged, contingently, with their mother's support, administered by General Pettit, of Glens Falls, Doctor Zina Hitchcock, of Sandy Hill, and Charles Trame, President of the Mohawk Bank in Schenectady.

Who, then, probably, did understand, more accurately than Mrs. Tearse, her grandmother's

statement in relation to the abduction and decease of Jane McCrea? Certainly not William Gordon, D.D., who resided in Roxbury, and could vouch only for "the *substance* of the relation "given by Mrs. McNeal, who was in company "with Miss McCrea when taken by the Indians."

The Reverend gentleman concedes (ii., 261) that "the murder of Miss McCrea exasperated the "Americans, and from that and other cruelties "occasion was taken to blacken the Royal party "and army. The people detested that army "which accepted of such Indian aid, and loudly "reprobated that Government which could call "in such auxiliaries." This was just censure and deserved indignation, although its consequence is added by Gordon as follows: "General Gates "was not deficient in *aggravating* by several publications the excesses which had taken place; "and with no small advantage to his military "reputation." Such, also, was the character and purpose of his "famous 'tickler on the subject of "scalping," with epistolary correspondence; the egregious egotism and vanity of whose author General Wilkinson has so fully exposed. His statement, exaggerated at least, and about which he had neither personal knowledge nor authentic information, has been frequently republished. Still, repetition of error, a thousand times, cannot verify it, nor change its deceptive nature, although often perpetuated as historical truth.

General Burgoyne, as well as General Frazer, utterly discarded the American report that David Jones had employed two competing parties of Indians, or any of them, to bring his betrothed into the British camp—a statement, by the way, which was also implicitly denied by Robert Ayers, (father-in-law of Ransom Cook, now residing at Saratoga Springs,) who had been sent at that very time by Jones to Albany with a letter from him to his betrothed. All who had been acquainted with Captain Jones were confident that his statement was correct, and that he was utterly incapable of such conduct. Indeed, on being apprised of Mrs. McNeal's captivity, and the death of her companion, he supposed the victim to be Dolly Hunter, until he saw her in Frazer's Marquée. Jones, until then, believed that Jane McCrea was in Albany. The latter, however, unbeknown to him, was on a visit to John Jones's wife, who had recently become a mother, at the Widow Jones farm, opposite Fort Edward, and had casually gone over to Mrs. McNeal's for a mere call on her friend Miss Hunter, who had gone to Argyle. Why Jane McCrea remained over the night of the 26th at Mrs. McNeal's house it is not material to the present purpose to mention.

Many pages could easily be taken up in presenting all the facts which demonstrate the cor-

\* Vide, Orders dated July 1, 1647; December 31, 1654, (*App. LIX.*), October 11, 1655, (*App. LXXIII.*), etc.—H. B. D.



rectness of Mrs. Tearse's narrative—a narrative that cannot be countervailed by Lord Harrington's *ex parte* or other similar *hearsay* evidence, nor even by Burgoyne's responsive letter, which seems to adopt, argumentatively, Gates' allegations, and endeavors, after such assumption, to exculpate from accusation of crime, concerning which the implicated declares he would not be guilty "for the whole continent of America, if "the wealth of worlds were in its bowels, and a "paradise on its surface." Nor, as our late civil war has shown, need we go back to the distant past for proofs that Generals, even in official despatches, have, for political purposes, put forth the grossest calumnies.

In short, if Mrs. McNeal, who was captured with Jane McCrea, is not the best authority for what happened to herself and companion; if the negro boy and woman, who were hidden in the cellar with Jane McCrea, did not know that fact about themselves, which they related to Judge Hay, Mrs. Judge Cowen, and numerous others; and, finally, if General Morgan Lewis, who buried Jane McCrea, and saw her fall from her horse, accidentally shot by his own men, did not know this fact, which he also related to David Banks, Judge Hay, and others yet living, why, of course, it is useless to write history based on any facts whatever. Indeed, the only question is, to whose statement is to be attached the most credit—that of Burgoyne, Gates and Gordon, who were at the time miles away from the scene, and two of whom had especial and powerful motives for concealing the real truth, or that of equally respectable parties who were on the spot and active participants in the tragedy, with no motive to relate the occurrence other than it was?

But it may be said, Burgoyne's, Gates' and Gordon's testimony is "written testimony." So, also, is Mrs. McNeal's and that of General Lewis; the only difference being, that a private secretary, *who is dead*, took down Burgoyne's letter as it fell from his lips, and Judge Hay, *who is living*, took down the words of General Lewis and Mrs. McNeal as they fell from their lips. There is, in fact, only one of two ways to get rid of this latter testimony—either to deny, *point blank*, that Mrs. McNeal and Governor Morgan Lewis told the truth, or else that they never stated these facts to David Banks, Judge Hay, and others, still living, whose names can be given. Respecting the first point, Mrs. McNeal and Governor Lewis were, in their lifetime, always considered perfectly truthful and honorable; and in regard to the latter, Judge Hay and Ransom Cook have heretofore been looked upon as men of probity and fairness.

The remark of G. H. M., that "Burgoyne was a "gentleman," seems to us to have no bearing on the point at issue. There are many "gentlemen"—in the conventional sense of that term—whose

statements are not remarkable for their truth. But aside from this, a portion of the testimony of Burgoyne, in his *State of the Expedition*, has recently been shown to be utterly false by the MS. journals of General Riedesel and numerous other German officers, which have been exhumed from the archives of different German States, and which will soon be given to the public both by the Long Island Historical Society and the writer.

I fully appreciate the motives of G. H. M. in his query, and cordially hold out my hand to him in sympathy with his endeavors to arrive at the truth of the case, for, certainly, the *truth* is that for which both of us are searching. Nor do I believe he would have pursued the course of a certain writer, who, it is said, when at Lake George, on being told by a gentleman of the real facts of the McCrea tragedy, and that, if he would tarry for a few hours, he would put him in communication with authorities which threw a new light upon it, replied, that "he had no time to "stop!" Even if the "authorities" to which he was referred had not changed the old version, still one would have more confidence in his story were he assured that the author had patiently investigated both sides. All of us are fallible; and it is impossible, even with the most careful and patient investigation, to secure perfect accuracy. But no one is fitted to write for future generations who, for any reason, neglects to examine every accessible authority.

#### XIV.—CHURCH COWS.

*To the Editor of The Historical Magazine:*

On the early settlement of Kings County, it was customary for the Reformed Dutch Churches to own cattle, which they hired or let out on shares for the benefit of the Churches or for the support of the poor. Agreements for the letting of three cows in 1662, and one in 1664, are entered in full on the old Brooklyn Church Records. The first Cow appears to have been valued at 150 Guilders in seawant, the second at 165 Guilders, the third at 140 Guilders 19 Stuyvers, and the fourth at 177 Guilders 20 Stuyvers.

The following is a translation of the agreement for the letting of the second cow:

"The undersigned Jeurie Probasco, acknowledges to have received from the hands of the "exalted Consistory of Breuckelen [*Brooklyn*] "for the Poor of the same place, a certain Cow: "in the first place for one half of her increase; "second, of the yield of butter, ten pounds for "the running year, and fifteen pounds for the ensuing years, for which he promises in 'seewant'



"(wampum) in place of butter to hand in for  
"the benefit of the poor; and lastly with prom-  
"ise for loss, to pay one half if the animal hap-  
"pens to die. Done at Breuckelen this 14th  
"May, 1662. GEORGE PROBASCO."

The above cow was valued at 168 Guilders, or  
about \$67.20, and is entered as having, on the  
twenty-fourth of June, 1662, had a miscarriage,  
in 1663 having had a heifer calf, and also one on  
the twenty-fourth of June, 1664.

TEUNIS G. BERGEN.

BAY RIDGE, N. Y., March 28, 1867.

## XV.—NOTES ON THE RECENT CIVIL WAR.—I.

### THE ARMY AMBULANCE CORPS.

The Army Ambulance Corps, which was cre-  
ated by Act of Congress just as the late war was  
coming to a close, is regarded by some persons as  
having originated with the present Surgeon-general  
and Secretary of War. The truth, however, is,  
that during the administration of Doctor William  
A. Hammond, as Surgeon-general, a bill, embody-  
ing in substance the provisions of the present  
law, was prepared by that officer, and submitted  
by him to Congress, but was rejected at the direct  
instigation of Mr. Edwin M. Stanton, then, as  
now, Secretary of War. So great was the hos-  
tility of Mr. Stanton to an Ambulance Corps that  
he refused to sanction any measures looking to  
the safe and speedy removal of the wounded sol-  
diers from the battle-fields. He gave to Doctor  
Hammond verbal permission to prepare a plan,  
and to submit it to him, but when this was done  
he shifted the responsibility of considering it on  
Major-general Halleck, then General-in-chief;  
and that officer refused, peremptorily, notwith-  
standing the earnest solicitations of Doctor Ham-  
mond and General McClellan, to entertain any  
proposition on the subject.

The efforts of Doctor Bowditch, of Boston, were  
directed to the same end, and it was mainly  
through the exertions of this benevolent physi-  
cian, after Mr. Stanton had succeeded in removing  
Doctor Hammond from office, that the present law  
was enacted.

As a matter of history, the following letters,  
showing the animus of Mr. Stanton, General  
Halleck, General McClellan and Doctor Ham-  
mond, are adduced. It is scarcely our province  
to inquire into the motives of men, but we can-  
not avoid expressing our surprise and regret that  
the two first-named officials should remain indif-  
ferent to the frightful state of facts presented by  
Surgeon-general Hammond. We can account  
for Mr. Stanton's indifference to the sufferings of

the wounded upon no other hypothesis than that  
his intense hatred to Doctor Hammond caused him  
to view with hostility every measure which that  
officer brought before him:

### 1.—SURGEON-GENERAL HAMMOND TO THE SEC- RETARY OF WAR.

SURGEON GENERAL'S OFFICE,  
WASHINGTON CITY, D. C.,  
August 21st, 1862.

SIR:

In accordance with your verbal permission, I  
have the honor to submit the enclosed project for  
an *Hospital Corps*, and to ask your favorable con-  
sideration for the same.

The plan is merely submitted as a basis on  
which the Corps can be organized. Much will  
remain to be done by regulations, and I propose,  
should you approve the enclosed outline, to ask  
for a Board of Medical Officers to perfect the  
organization. I have not considered it necessary  
to enter into details, the first thing essential is to  
obtain your sanction to the organization of such  
a Corps. The need for it is most urgent. In no  
battle yet have the wounded been properly looked  
after, men under pretence of carrying them off  
the field leave the ranks, and seldom return to  
their proper duties.

The adoption of this plan would do away with  
the necessity of taking men from the line of the  
Army to perform the duties of nurses, cooks, and  
attendants, and thus return sixteen thousand men  
to duty in the ranks.

In view of these facts and many others which  
could be adduced, I respectfully ask your ap-  
proval of the enclosed project.

I am Sir Very Respectfully  
Your obedient servant  
WILLIAM A. HAMMOND  
Surgeon General

Hon. E. M. STANTON  
Secretary of War

A true Copy.  
E. S. DUNSTER  
Asst. Surgeon U. S. A.

### 2.—SURGEON-GENERAL HAMMOND TO THE SEC- RETARY OF WAR.

SURGEON GENERAL'S OFFICE,  
WASHINGTON CITY, D. C.,  
Sept. 7th, 1862.

SIR:

I have the honor to ask your attention to the  
frightful state of disorder existing in the arrange-  
ment for removing the wounded from the field of  
battle. The scarcity of *Ambulances*, the want of  
organization, the drunkenness and incompetency

of the drivers, the total absence of Ambulance attendants, are now working their legitimate results; results which I feel I have no right to keep from the knowledge of the Department.

The whole system should be under the charge of the Medical Department. An Ambulance Corps should be organized and set in instant operation. I have already laid before you a plan for such an organization which I think covers the whole ground, but which I am sorry to find does not meet with the approval of the General in Chief. I am not wedded to it, I only ask that *some* system may be adopted by which the removal of the sick from the field of battle may be speedily accomplished, and the suffering to which they are now subjected, be in future, as far as possible avoided.

Up to this date six hundred wounded still remain on the battle field, in consequence of an insufficiency of Ambulances, and the want of a proper system for regulating their removal in the Army of Virginia. Many have died of starvation, many more will die in consequence of exhaustion, and all have endured torments which might have been avoided.\*

I ask Sir, that you will give me your aid in this matter, that you will interpose to prevent a recurrence of such consequences as have followed the recent battle, consequences which will inevitably ensue on the next important engagement, if nothing is done to obviate them.

I am Sir, Very Respectfully

Your Obedient servant

WILLIAM A. HAMMOND

Surgeon General

Hon E. M. STANTON

Secretary of War

A true Copy

E. S. DUNSTER

Asst. Surgeon U. S. A.

### 3.—GENERAL McCLELLAN TO THE SECRETARY OF WAR.

HEADQUARTERS

ARMY OF THE POTOMAC

Oct. 25. 1862.

GENERAL,

An Ambulance Corps has been in existence in this Army since August 2nd, 1862, and has been of great service. It would be of still greater service were the men enlisted for this particular duty. I approve of an Ambulance Corps for the whole Army, and consider it indispensable for the proper care of the wounded.

The men should be enlisted especially for this purpose and used for no other, and should be placed in a Camp of instruction and taught their duties.

The plan now in force in this Army I recommend, with some modification, to be adopted throughout the forces of the United States.

I am very respectfully

Your Obedt servt

GEO. B. McCLELLAN,

Maj. Genl. U. S. A.

Maj. Genl. H. W. HALLECK,

Genl. in Chief.

### XVI.—REMINISCENCES OF THE PRESIDENTIAL ELECTION OF 1800.

[Communicated by WILLIAM DUANE, Esq., of Philadelphia.]

#### 1.—DR. MICHAEL LEIB, M.C.\* TO COL. WILLIAM DUANE.

GEORGE TOWN, Decr. 18<sup>th</sup> 1800.

DEAR SIR

The success which has crowned our exertions you are already informed of; but you, perhaps, are not aware that the business, thro' mismanagement, is still incomplete. It will fall upon the House of Representatives to decide who shall be the President, Jefferson or Burr, owing to an equal vote for the two candidates. We have carried our good faith rather to an extreme—we have been more than "up to the hub." It is now too late to regret that we had not ordered these things better; on another occasion we may profit by the present lesson.

The federalists were much relaxed in their countenances yesterday by the information that Georgia had given an unanimous vote for our two candidates, as it again gave them a chance of disappointing us in our favourite man. They played us off with an idea that they would vote for Burr. Not to be behind them in complaisance, we agreed to unite with them and in order to pay a still higher compliment to Mr. Burr, we assured them that we would carry the seat of Government to New York and place it at his door. This was a burr to them. The Marylanders did not relish it, more especially when they were assured by many of the southern members that they would vote for the translation. This menace has proved indigestible, and has

\* This fearful record refers to the wounded in the second Battle of Bull Run, fought on Saturday, the thirtieth of August, 1862.—Ed. Hist. Mag.

\* Dr. Leib was one of the representatives from Philadelphia. He was afterwards United States Senator and Postmaster in Philadelphia.—W. D.

sobored some of the Maryland federalists. If they could embarrass us, they would certainly do it; but I cannot persuade myself that they will play so desperate a game as to make choice of the man that no party and no State intended for the office. The imperfection of our Constitution has put this in their power. We must have a President, and we must elect him or the Government becomes dissolved, and rather than submit to a dissolution of the bond which unites us, we should be compelled to unite with them in the choice of Burr, if they should determine on the measure. The Constitution has made no provision to embrace the case of a disagreement in the House of Representatives, it only provides for a removal, death, resignation or inability; an interregnum would, therefore, follow, if the two parties should prove inflexible.

We are very usefully employed, for we are doing nothing. It would have been well for the United States if the federal legislature had been thus employed for the last three sessions. My wish is that the Session may pass by as it has commenced and that nothing may be the fruits of it; for as we are in a minority, we cannot do good.

The Senate are employed on the Treaty. Yesterday it was determined by the casting vote of the President that the injunction of secrecy should be taken off. An effort is making to reject it. I have not yet seen it; if I can lay my hands on it, I will transmit it to you.

Make my compliments to Mrs. Duane.

God bless you

Yours sincerely

M. LEIB.

P. S. I have sealed this letter with my cypher. You will be able to judge whether the seal has been violated.

2.—HON. JAMES A. BAYARD\* TO COL. ALLEN McLANE.†

CHAMBER OF REFS

12 Feb<sup>y</sup> 10 o'clock in the morning

DEAR SIR

The House is in Session and engaged in balloting for President. 19 times the ballots have been given in and produced the same result, 8 votes for Jefferson, 6 for Burr, and two divided.

\* Mr. Bayard represented Delaware in the House of Representatives.—W. D.

† Colonel McLane was a distinguished officer of the Revolution. An interesting account of him is to be found in Wilkinson's *Memoirs*. He was Collector of the Customs at Wilmington, Delaware, a post which he held under many administrations until his death at an advanced age. The Hon. Louis McLane was his son.—W. D.

How or when the affair will end we know not.

I am with regard

Your obt<sup>s</sup> sert

J. A. BAYARD.

3.—THE SAME TO THE SAME.

WASHINGTON 17 Feb<sup>y</sup> 1801.

DEAR SIR

Mr. Jefferson is our President. Our opposition was continued till it was demonstrated that Burr could not be brought in and even if he could, he meant to come in as a Democrat.

In such case to evidence his sincerity he must have swept every officer in the U. States. I have direct information that Mr. Jefferson will not pursue that plan.

The N. England gentlemen came out and declared they meant to go without a Constitution and take the risk of a civil war. They agreed that those who would not agree to incur such an extremity ought to recede without loss of time. We pressed them to go with us and preserve unity in our measures.

After great agitation and much heat, they all agreed but one. But in consequence of his standing out the others refused to abandon their old ground. Mr. J. did not get a federal vote. Vermont gave a vote by means of Morris's withdrawing—the same thing happened with Maryland. The votes of S. Carolina and Delaware were blank.

I have taken good care of you. I think if prudent you are safe.

Your obt<sup>s</sup> sert

J. A. BAYARD.

## XVII.—NOTES.

THE RIGHT OF SUFFRAGE.—Mr. Bancroft, in the ninth volume of his *History of the United States*, has the following passage (p. 263):

"White men alone could claim the franchise 'in Virginia, in South Carolina and in Georgia; 'but in South Carolina, a benign interpretation of 'the law classed the free octoroon as a white, 'even though descended through an unbroken 'line of mothers, from an imported African 'slave; the other ten' (i. e. the ten other) 'States 'raised no question of colour.'"

As far as Pennsylvania is concerned, this last assertion is a mistake. The Constitution of 1776 and that of 1789 confined the right of suffrage to *freemen*, and the Supreme Court of Pennsylvania decided\* that this meant something more than

\* In the case of *Hobbs v. Fogg*, 6 Watts' Reports, 553.



men who were free, and included only white men. The amendments to the Constitution adopted in 1838 by a large majority of the Convention, and afterwards by the People, confined suffrage to white men by express words. D.

PHILADELPHIA.

THE TAVERN-KEEPERS' TEN COMMANDMENTS.—The following is a copy of a framed and glazed handbill hanging up a few years ago in a hotel in the interior of Pennsylvania:

THE TEN COMMANDMENTS OF THE TAVERN AND HOTEL KEEPERS.

I. When thou art thirsty thou shalt come to my house.

II. Thou shalt always keep my name in thy memory.

III. Thou shalt visit me often on Sundays and Holydays.

IV. Thou shalt honor me when I deserve it, so that thou mayest live long and that thou mayest continue drinking in my house.

V. Thou shalt neither break nor destroy anything for me in my house; if thou dost so thou must pay me each time double for it.

VI. When thou want to sing do not bellow like an ox, neither make a noise nor raise a riot like a beast.

VII. Thou shalt not steal anything from me for I need all I have myself.

VIII. Thou shalt not dare to pass counterfeit coins or money on me.

IX. Thou shalt not expect large or full glasses, because the landlord has to live off his profits.

X. Thou shalt after thou hast been eating and drinking in my house pay me honestly for it, for the landlord never likes to have anything to do in the chalk line.

SLAVERY IN MASSACHUSETTS.—The following letter was published in the (Boston) *Independant Chronicle*, May 15, 1777:

MESSIEURS PRINTERS,

I would hope that you are the Sons of Liberty from principle and not merely from interest, wish you therefore to be consistent, and never more to admit the sale of negroes, whether boys or girls, to be advertised in your papers. Such advertisements in the present season are peculiarly shocking. The multiplicity of business that hath been before the General Court may apologize for their not having attended to the case of slaves, but it is to be hoped that they will have an opportunity hereafter, and will, by an act of the State, put a final stop to the private and public sale of them, which may be some help to-

wards eradicating slavery from among us. If God hath made of one blood all nations of men, for to dwell on all the face of the earth, I can see no reason why a black rather than a white man should be a slave.

Your humble servant

WILLIAM GORDON.

ROXBURY, May 12, 1777.

N. B. I mean the above as a hint also to the other printers.

TREASON IN NEW JERSEY IN 1779.—We learn that pardons have been issued to sixteen of the persons who were found guilty of high treason and who received sentence of death at a Court of Oyer and Terminer lately held at Gloucester in New Jersey. One other, who had deserted from the American service and entered into that of the enemy, was condemned at the same time and was to have been executed yesterday.—*Boston Independant Chronicle*, March 11, 1779.

XVIII.—QUERIES.

THE MONUMENT TO CHIEF-JUSTICE POPHAM.—It is written in the eloquent and ingenious address at the two hundred and fifty-seventh anniversary of Popham's Colony at the mouth of the Kennebeck, that "His memory is *truly consecrated*" by one of the most magnificent monuments ever "erected over the remains of departed worth." Certainly, this is a remarkable structure, possessed of singular virtue. Is it known in what year it was erected, and at whose expense? Who was the author of the inscription? A copy of it would be appropriate to these pages. In what part is the "consecrating" power—in the marble, the inscription, the architecture, or in the general magnificence of the whole?

BOSTON.

SEDIR DING.

HASHAMOMMOCK, L. I.—In 1660, a certain Henry Whitney resided, according to some ancient records in my possession, in Hashamommock, Long Island. Where was this place? I find no mention of it in the books.

NEW YORK CITY.

S. W. P.

COMMISSIONER HALLOWELL.—I find in Frothingham's *Siege of Boston*, page 240, the following: "The journals contain a minute description of a street-fight that took place in August, between Commissioner Hallowell and Admiral "Graves." Who will give me information about Commissioner Hallowell, and this street-fight, or refer me to works where it can be found?

AUGUSTA, Maine.

S. L. B.

JOSEPH OTIS.—Who was Joseph Otis, jailer in charge of American prisoners in Boston, after the battle of Bunker's Hill? S. L. B.  
AUGUSTA, Maine.

BOON ISLAND.—(H. M., NEW SERIES, I., 61).—This name is applied by Mr. Vetromile to De Mont's Island, in the St. Croix. What is the authority? There is an island of this name on the coast of Maine, off against "York Nubble," but the one to which he applies it has been known as *Neutral Island*, while the national ownership was unknown, by reason of the undetermined boundary between Maine and New Brunswick; and as *Dochet Island* (pron. *Dosha*), from the native name. In August, 1864, several members of the Historical Society of the State, as invited attendants with the Congressional Committee for inspecting the Coast Defences, in passing this island in the U. S. Steamer *Mahoning*, decided to give it the honored name of De Monts—the first European occupant of its small territory and commanding position. B.

BRUNSWICK, Me.

#### XIX.—REPLIES.

RALE'S MONUMENT.—(H. M., NEW SERIES, I., 61).—This monument *was* "prostrate" at the time when Mr. Vetromile made his drawing, and for some years before and after. The present writer made a sketch of it in that condition, into which it had been brought by reckless river-men, to show their spite against certain active temperance men who had been instrumental in its erection. It has since been replaced in proper position. B.

BRUNSWICK, Me.

EAST INDIA COMPANY'S ENSIGN.—(H. M., NEW SERIES, I., 49).—This Company, whose first charter was obtained in the year 1600, bore as a crest to their old armorial ensigns, a sphere without a frame, bound with a zodiac, in bend, or, between two split pennons, floatant, argent, each charged with a cross, gules; over the sphere the words, "*Deus indicat.*" On the shield, with other devices, were three ships, rigged and under full sail, the sails, pennants and ensigns being argent, and each charged with the same cross gules. The pennants were long, tapering and split at the end, while the flags or ensigns being perfectly square; similar ones are to be seen on the arms of different companies at that period—as the Merchants of Russia, incorporated 1555, and enlarged 1614; the Merchants of Elbing and

the Merchants of Spain, incorporated under Elizabeth; and the Merchants of the Levant, or the Turkey Merchants, originating in 1579. That the East India Company were entitled to bear on their ships any particular and distinguishing flag does not seem probable, since we read that a Royal Proclamation of James I. was issued, April 12, 1606, ordering all subjects of the Isle and Kingdom of Great Britain, and the members thereof, to bear on their maintop the Union Flag, being the red cross\* of St. George and the white cross (or saltire) of St. Andrew, joined together upon a blue ground, "according to a form made by our heralds, and sent by us to our Admiral, to be published to our said subjects;" and that the subjects of South Britain should carry, as they had been accustomed, in their foretop, the old national ensign, being the red cross on a white field, while the subjects of North Britain were to wear in the same place, a blue flag charged with a white saltire, as usual. But, on May 5th, 1634, a Proclamation was issued by Charles I., reserving the Union Flag as a distinguishing and proper ornament for the ships of the Royal Navy, and those in the employ and service of the Government, and none others; the ships of English subjects to carry the red cross, "as of old time hath been used," and the ships of Scottish subjects to carry the white, or St. Andrew's cross. After the execution of Charles I., who in his crown only had united the two kingdoms, the new Council of State, on the 22d of February, 1648-9, passed a resolution: "That the ships at sea in service of the State, shall bear the red cross in a white flag. That the engravings upon the stern of the ships shall be the arms of England and Ireland in two scutcheons, as is used in the seals." Soon after we hear of vessels of war sailing under the Long Parliament flag, which bore on a blue field the yellow Irish harp with the St. George's cross next to the staff. Under the Protectorate, we find a blue flag in use, bearing in the field the two shields of England and Ireland, viz.: argent, a cross, gules and azure, a harp, or; these were joined together in a horse-shoe shape and surrounded by a white label of three folds, with the motto in black letters, "*Floreat-Res-Publica.*" and outside two golden branches of laurel, leaved green; another flag of this period, preserved as late as 1803, in one of the storehouses of Chatham dockyard, bore the same shields, slightly separated, on a red field, and surrounded by branches of palm and laurel. On the fleet which restored Charles II. to the throne of his father, the Royal cipher took the place of the State's arms, and the harp was removed from the Long Parliament

\* Whether the red cross was fimbriated, or edged with white, at this period, is not so apparent.



flag, which they also bore as having been instrumental in the restoration of that body during the previous year. Soon after this, under James, Duke of York, who had been appointed Lord High Admiral of England, Ireland, Wales, &c., and of the dominions of New England, Jamaica, Virginia, &c., in America, we find the flags of the navy to have been the Royal standard; the Lord High Admiral's flag being an anchor foul on a red field; the Union Jack; and the English Ensign, red, cantoned with the St. George's cross.

During the Civil War, many and various were the devices which appeared upon the banners of either party, but the colors or flags were principally red for the Royalists, orange for the Parliamentarians and blue for the Scotch; and all cantoned with the red St. George's cross. Perhaps it was at this period that a blue field was adopted for the New England standard, which Carel Allard in his *Nieuwe Hollandre Scheeps-Bouw* (pub. Amsterdam, 1705), describes as bearing a red cross on a white canton, in the first division of which was an intersected globe, typical of America as the New World; a similar flag is depicted in a French work of 1737, upon the subject.\*

At what time the striped flag was first adopted by the East India Company is not evident. A contemporary print, preserved in the Pennant Collection, British Museum, representing the Puritans in 1644, under Sir Robert Harlow (or Harley), destroying the Cross in Cheapside, depicts several flags, one of which apparently bears two red stripes on a white field, and the St. George's cross on a white canton which extends over the first two stripes. It is very probable, moreover, that a striped flag was employed as early as this in the navy, and used as a signal. The basis of all subsequent Admiralty Regulations were the *Instructions* issued in 1640 by the Earl of Warwick; these were improved upon, after 1653, by Sir William Penn, when appointed one of the Generals of the Fleet; and twelve years subsequently, *Additional Instructions* were drawn up by James, Duke of York, on board the *Royal Charles*, the twenty-seventh of April, 1665. All these were soon united by the Duke into one Code of Marine Laws, and in this, under the Sailing Instructions, we have "N°. XXIV," "When the Admiral shall put forth a flag striped "with red and white on the fore-topmast head, the "Admiral of the white squadron shall send out

"ships to chase; when on the mizzen-topmast "head, the Admiral of the blue shall send out "ships to chase; &c." In an article on "Signals," in Harris' *Lexicon Technicum*, Second edition, London, 1723,\* we have: "If he (the "Admiral) would have the Red squadron draw "into a line of battle, one abreast of another, he "puts abroad a flag striped red and white, on the "flagstaff at the main-topmast head, with a pendant under it, and fires a gun; if the white or "second squadron is to do so, the flag is striped "red, white and blue;" if for the blue squadron, the flag was to be the general one, or white traversed with a red cross. A chart of flags published in Entick's *Naval History*, (London, 1757,) gives two of these signals, one being eleven stripes, red and white, the other twelve stripes, red, white and blue. Admiral Charles Saunders, while in the harbor of Louisbourg, and before setting out for Quebec, issued certain *Sailing Orders and Instructions*, on the fifteenth of May, 1759, and among the variety of signal-flags mentioned are some yellow and white striped, and others red and white striped; with these striped flags it is quite possible the Provincial vessels which joined the fleet were well acquainted, and the striped flag of the American Colonists, while struggling for liberty, may here find its antecedent, if it were not, on the other hand, assumed as a very bravado, or rather a perpetual remembrancer of the East India Company and its three hundred and fifty chests of Bohea, which converted Boston harbor into a teaport, on the night of the sixteenth of December, 1773.

It was in April, 1661, that the renewal of their Charter by Charles II., vested the East India Company with the power or authority to make peace and war with any Prince or People not being Christians; and towards the close of the succeeding reign (1687), "considering Madras as "a Regency, under the protection of the King, "whose authority had been delegated to the "Company, the Court ordered the King's Union "Flag to be always used at the Fort (St. George).†

Under William III. a new company was established, in 1698, by Act of Parliament, which, however, soon became incorporated with the former; its arms were: argent, a cross, gules, in the dexter chief quarter an escutcheon of the arms of France and England, quarterly. *Crest*, two lions rampant, guardant, or, each supporting a banner, erect, argent, charged with a cross, gules.

The earliest representation of an East India Flag, which I have in my possession, occurs in a work entitled *Present State of the Universe*, Fourth edition, London, 1704, by John Beaumont,

\* John Beaumont, Jr., in his *Present State of the Universe*, 4th edition, London, 1704, gives the New England flag, as bearing on a square red field a white canton with the red cross, in the first quarter of which is a green tree; and the Colonists had as early as 1652, adopted the tree (pine tree) as a device upon their coinage. Alex. Justice's *Dominions and Laws of the Sea*, London, 1705, represents the same flag. Vide *Notes and Queries*, London, Second Series. xiii., 444; Third Series, i., 72; Drake's *History of Boston*, &c.

\* Vide, also, Croker's *Dictionary of Arts and Sciences*, London, 1766.

† Bruce's *Annals of the East India Company*.



Jr.; the field bears thirteen horizontal bars or stripes, alternately red and white, with the St. George's cross on a white canton, which rests upon the fourth red stripe. A French work of 1737, on the subject of flags, which is referred to in *Notes and Queries* (London, 1861, Second series, xii., 444), gives the above flag of thirteen stripes, as an English "Pavillon de Rang ou de "Division d'escadre," and another of thirteen stripes, yellow and red, as the "Pavillon d'Enchure "en Nort Hollande." In a treatise on *Dominions and Laws of the Sea*, (London, 1705,) by Alex. Justice, we have the East India flag as ten stripes, white and red, cantoned with the red cross; while in Carel Allard's Dutch work on ship-building, published the same year in Amsterdam, the flag is represented as bearing only nine stripes, red and white, with the canton and cross resting on the third red stripe. This last design occurs also in the French work of 1737, already alluded to, and in Howard's *Encyclopedia*, London, 1785. But whereas, by Royal Proclamation of Queen Anne, the twenty-eighth of July, 1707, the Union of the two crosses of England and Scotland,\* was constituted a distinguishing mark of the National ensign, particular fields were ordered to be worn in the flags of the navy or Government vessels and merchant vessels; *i. e.*, the one were to carry a blood-red flag, cantoned with the Union, the other a St. George's ensign (white with a red cross), with the Union occupying the whole of the first quarter.

It may have been at this period that the East India Company adopted the St. George's ensign, barry of twelve red and white, with the Union in the first quarter, as depicted in the London *Encyclopedia*, 1832, and Webster's *Dictionary*, 1867.

A similar flag, without the Union, appears to have been used on the first American fleet which sailed from the Delaware Capes, in February, 1776; for we read that the signal for the *Providence* to chase, was "A St. George's ensign with stripes "at the mizzen peak." Rees' *Cyclopædia*, (London, 1820,) gives still another form of the East India flag, *viz.*: thirteen stripes, white and red,† cantoned with the present Union, which rests on the fourth white stripe. In Fisher's *Book of the World*, (New York, 1850,) we have a chart of flags, that of the East India Company being nine red and white stripes, the Union extending to the middle of the third red stripe; it differs only in this latter respect from the ensign of the Sandwich Islands, wherein the Union runs quite through the third red stripe, resting on the third white.

\* In 1801 the cross of St. Patrick for Ireland, being argent, a saltire, gules, was added; and the present form of the Union adopted.

† On the certificates of membership for the "Society of the "Cincinnati," engraved in France after the close of the Revolutionary War (1784), the American flag is represented as bearing in the field thirteen stripes, white and red.

The flag of Liberia, as herein represented, bears eleven stripes, red and white, with a blue canton resting on the third white, and charged with a single white star.

NEW YORK, Feb. 20, 1867.

I. J. G.\*

"A HISTORICAL DIFFICULTY" SOLVED.—(H. M., NEW SERIES, I., 47.)—Influenced by the fear of the partition of Spain among the European Powers, and wrought upon by his spiritual advisers, who were dictated by Pope Innocent XII., Charles II. of Spain, on the second of October, 1700, made his last will and testament, conveying his dominions to Philip, Duke of Anjou. Charles II. died on the first of November, 1700; and Philip V. was crowned at Madrid, on the fourteenth of April, 1701, King of Spain.

Leopold, Emperor of Germany, alone among all the European Powers, refused to recognize him as the rightful heir to the Spanish throne. Charles II., previous to the making of this will, had "actually nominated the Archduke as his "universal heir." The wars which followed this alliance of the thrones of France and Spain are of too complicated a nature for me to attempt to unroll in this paragraph. In 1706, the Archduke, supported by the English and Portuguese armies, entered Madrid; and was proclaimed King of Spain, under the title of Charles III. In a few days, however, he was forced to leave the Capital. On the twenty-eighth of September, 1710, he again entered Madrid, and was again proclaimed King with the same title, but he was again as unfortunate as he had been in 1706, and was compelled to leave Madrid a second time, and Philip was firmly seated upon the Spanish Throne.

Charles III., however, did not leave Spain, but continued to rule over his Spanish dominions, living himself at Barcelona. His brother Joseph, Emperor of Germany, having died, he left his Spanish dominion, his Queen having been made Regent, and was crowned, at Frankfort, on the twenty-second of December, 1711, Charles VI. of Germany, and King of Hungary, Bohemia and Spain.

This little coin, of which I send you an impression, was probably struck to commemorate the event.

BOSTON, March 11, 1867.

C. S. F.

THE SCRAP TABLE.—(H. M., SECOND SERIES, I., 180.)—I have a book entitled *The Scrap Table*, published thirty-seven years ago. Whether it is the same your correspondent, M. T. WALWORTH, Esq., is in search of, I do not know.

21 NASSAU ST., New York. C. P. KIRKLAND.

\* Our readers will recognize this signature as belonging to a long-tried friend of THE HISTORICAL MAGAZINE and an earnest student of our country's history; and they will welcome, as we do, the re-appearance of it on our pages.—ED. HIST MAG.

## XX.—PROCEEDINGS OF SOCIETIES.

## 1.—BOSTON NUMISMATIC SOCIETY.

The monthly meeting was held on Thursday, the seventh of March, at 4 P. M.

The Secretary read the report of the last meeting, and presented to the cabinet a proof set of the silver and smaller coins of this year.

The President read a letter from J. A. Bolen, of Springfield, enclosing two copper tokens, a donation to the Society. He also called the attention of members to the fact that Professor John H. Alexander, of Baltimore, an Honorary Member, died in that city on the second of March. He had long been known as an earnest advocate of an international coinage on the decimal system, and in 1857 was Commissioner to a conference held in England; he had been appointed by the President a Commissioner to the French Exposition of this year.

Dr. Fowle exhibited two staters of Philip II., and two of Alexander III., of Macedon, all in beautiful condition. Mr. Pratt exhibited a proof set of English coins, the gold, silver and copper for 1853; it comprised sixteen pieces, and was prettily arranged in a morocco case. The Secretary showed the medal given to him as a Commissioner to visit the Mint. On the obverse is a classical head of Liberty and the legend "MINT OF THE UNITED STATES, PHILADELPHIA;" on the reverse, in a wreath, the words "ANNUAL ASSAY, 1867." It is of size 21, and is composed of silver with one-tenth part of aluminum.

The Society adjourned at about 5.

## 2.—THE MASSACHUSETTS HISTORICAL SOCIETY.

At the stated monthly meeting of the Massachusetts Historical Society, held on Thursday, the tenth of January, 1867, after the transaction of some preliminary business, the President, the Hon. Robert C. Winthrop, spoke as follows:—

"GENTLEMEN OF THE SOCIETY:

"I have received a communication from our distinguished Honorary Member, Mr. George Peabody, which I am sure will be listened to with the highest gratification, and with the deepest gratitude, by every member present."

Mr. Winthrop then proceeded to read the following letter:

"BOSTON, January 1, 1867.

"TO HON. ROBERT C. WINTHROP, President of  
"the Massachusetts Hist. Society.

"MY DEAR SIR:

"I have for some time desired to gratify a wish which I once expressed to you; and, while I

"should at the same time mark my strong personal esteem and regard for yourself, and my appreciation of the past labors and researches of the venerable and distinguished Society of which you are President, to contribute in some degree, to extend its future usefulness, and preserve its valued memorials.

"With these objects in view, therefore, I beg to present, through you, to the Massachusetts Historical Society, the sum of twenty thousand dollars, in the five per cent. 10-40 coupon bonds of the United States, bearing accrued interest from the first of September last; which bonds, or their proceeds, shall be held by them as a permanent trust-fund, of which the income shall be appropriated to the publication and illustration of their Proceedings and Memoirs, and to the preservation of their Historical Portraits.

"I will thank you to do me the favor to communicate this to the Society at their next meeting, to be held on the 10th inst.

"I am, with great respect, your humble servant,  
GEORGE PEABODY."

The Rev. George E. Ellis, D.D., then offered the following resolutions:

*Resolved*, That the members of the Massachusetts Historical Society have listened with profound gratification to the reading, by their President, of the letter of Mr. George Peabody, accompanying his gift to the Society of an endowment of TWENTY THOUSAND DOLLARS; and that it is with the sincerest gratitude to the munificent donor that we thus find ourselves sharers in the comprehensive generosity which has been exercised in England and in the United States, with such varied, discriminating, and admirable adaptation to so many noble interests of humanity, science, and liberal culture.

*Resolved*, That we recognize this noble gift as especially opportune in time and occasion; and as peculiarly adapted, in the purposes which its donor assigns for it, to what have recently been felt to be the most pressing wants of the Society. We therefore hereby pledge ourselves, and would bind our successors, to a faithful keeping and improvement of the fund, to be called, henceforward, "The Peabody Fund," of which we are thus put in possession; having regard alike to the conditions so intelligently set forth by Mr. Peabody, and to the importance of the special objects he has aimed to serve.

*Resolved*, That our best appreciation of this gift, and the most fitting return which we can make to its donor, will be in our finding in it, individually, and as a Society, a new and continued incentive to industry, earnestness, and fidelity in pursuing the investigations and labors in whose special service we are here associated.

*Resolved*, That the President be requested to



communicate to Mr. Peabody a copy of these resolutions; and to assure him that his gift is gratefully received, and shall be faithfully used.

Dr. Ellis followed the reading of the Resolutions by some remarks on the fresh incentive to labor which this large addition to the resources of the Society should offer to its members.

Colonel Aspinwall seconded the Resolutions, and paid a warm tribute to his old friend, Mr. Peabody, whose many acts of benevolence for many years had come under his own observation.

The meeting was also addressed by the venerable ex-President of the Society, the Hon. James Savage; by the Hon. Richard Frothingham, the Treasurer; and by Leverett Saltonstall, Esq., of the Standing Committee.

The Resolutions were then unanimously adopted.

### 3.—NEW ENGLAND HISTORIC-GENEALOGICAL SOCIETY.

*Boston, Wednesday, February 6.*—A stated meeting was held this afternoon, Winslow Lewis, M.D., presiding.

The Librarian reported that since the last monthly meeting fifty-seven bound books and eighty-six pamphlets had been presented to the Society. The Historiographer read memoirs of Rev. William Jenks, D.D., LL.D., an Honorary Member of the Society, who died at Boston on the thirteenth of November, 1866, in the eighty-eighth year of his age; of Thomas Stiekney, of Manhattan, Ohio, who died on the ninth of July, 1862, aged fifty-two; and of Hon. Samuel Ames, of Providence, R. I., who died on the twentieth of December, 1865, aged fifty-nine, Corresponding Members; of John Seaver Howard, of Chelsea, who died on the sixteenth of March, 1865, aged forty-three; and of Colonel Samuel Swett, of Boston, who died on the twenty-eighth of October, 1866, aged eighty-four, Resident Members.

Rev. Joseph Allen, D.D., of Northborough, Mass., read before the Society a paper giving biographical notices of members of the old Marlborough Association, formed in 1725, and which had an uninterrupted existence of nearly ninety years, having been dissolved in 1814. This Association contained at first but seven members, the ministers of as many towns bordering on Northborough, the geographical centre. It was subsequently much enlarged, embracing a territory now containing twenty-three incorporated towns, lying partly in Middlesex and partly in Worcester counties. In 1762, we were told, a division took place—the Eastern part, lying in Middlesex, retaining the name of the Marlborough Association, the Western taking the name of the Worcester

Association, of which the body that now bears that name is a lineal descendant.

Rev. Doctor Allen gave a picturesque description of the appearance of some of these worthies, as he had seen them in the College yard on Commencement days, dressed in the fashion of the times, standing in groups or walking with stately gait in search of their classmates and college companions, supported by silver or gold-headed canes, and with silver buckles for the instep and the knee. This was in the early part of the Century, when he was a young man.

Some of the men whom he described were eminent in their profession, whose praise was in all the churches. Some had their foibles and faults, but most of them were men of integrity and sterling worth, with classical attainments which will compare favorably with the graduates of our best colleges at the present day.

As they were the ministers of *towns*, and not, as is now common, of small fractions of towns, their influence was felt through the whole community, and this power was exercised commonly for good and not for evil. Doctor Allen is engaged in preparing a History of the Marlborough Association, which will soon be published.

On motion of Hon. Charles Hudson, the thanks of the Society were voted to Doctor Allen, and a copy requested.

David Pulsifer exhibited a copy of the 1624 edition of Captain John Smith's *History of Virginia*, and made some extemporaneous remarks with regard to the story of Pocahontas saving the life of Captain Smith, which has been recently questioned by one of our well-known writers. Mr. Pulsifer thinks sufficient grounds of doubt have not been found, and that the statement which has stood so many years unquestioned should still be believed.

*Boston, Wednesday, March 6, 1867.*—A stated meeting was held this afternoon at the Society's rooms, No. 13 Bromfield street.

Rev. Joseph Allen, D.D., of Northboro', Mass., read a paper upon the Old Marlborough Association, giving biographical sketches of some of the ministers of that Association who belonged to a former generation, some of whom were men of mark, eminent in their day, and whose influence is still felt in the communities in which they belonged. Among those of whom he made mention were Cook and Bridge, of East Sudbury (now Wayland), Smith and Packard, of Marlborough, Goss, of Bolton, John Mellen, of Sterling, John Martyn, of Northborough, Jacob Bigelow, of Sudbury, and Jonathan Newell, of Stow. He also gave some account of Seecomb, of Harvard, who, among other poetical effusions, was the author of the famous ditty, entitled, *Father Abbey's Will*, and who, we were told, was one of the few ministers in this region who approved of



the course taken by Whitefield, Tennent and others to create revivals of religion. He spoke also of Mellen, of Sterling, and Morse, of Boylston, and Buckminster, of Rutland, father of Dr. Buckminster, of Portsmouth, and grandfather of the late eloquent minister of Brattle Square Church, of the same name. In connection with the notice of Morse, of Boylston, he read a tribute to his memory in blank verse, written by the late Thad. M. Harris, of Dorchester, who, when driven from his home by the burning of Charlestown, at the battle of Bunker Hill, being then a child of ten years, found shelter and a home in the family of the good minister of Boylston, where he remained many years, and by whom he was fitted for college.

Dr. Asa Millett, of Bridgewater, Mass., exhibited some of the records and other writings of Rev. Mr. Angier, an early minister of Bridgewater.

#### 4.—DORCHESTER ANTIQUARIAN AND HISTORICAL SOCIETY.

The twenty-fifth Annual Meeting of this Society was held on the nineteenth of January, at the house of Hon. E. P. Tileston, when the ballot for officers resulted in the election of Edmund P. Tileston, President; Edmund J. Baker, Samuel Blake, Henry G. Denny, Curators; Edward Holden, Librarian; Ebenezer Clapp, Corresponding Secretary; Samuel Blake, Assistant Librarian; Nathaniel W. Tileston, Chronologist.

The report of the Curators exhibited a large increase, both of the library and the cabinet, since the last Annual Meeting, and the public thanks of the Society were voted to the several donors named in the Register of Collections. Important suggestions were offered by the Board touching the necessity of immediate provision for the better arrangement and preservation of the rare materials now in possession of the Society, the loss of which would be irreparable. The Treasurer's report was read and accepted; and several minor matters were disposed of, when the Society adjourned.

#### 5.—RHODE ISLAND HISTORICAL SOCIETY.

A Special Meeting of this Society was held at its hall, on the evening of the twentieth of February, the President, Judge Greene, occupying the chair.

Professor George W. Greene read a history of the defence of Red Bank and Fort Mifflin, on the Delaware.

The paper forms a chapter in Professor Greene's forthcoming work upon his grandfather,

General Nathaniel Greene. The attention of the learned audience was intensely absorbed to the close, in a narration which was more thrilling than romance, and which was the more interesting to those present since many distinguished Rhode Island men took a prominent part in the engagement, among whom were Colonel Stephen Olney, Major Simeon Thayer, and Surgeon Turner.

On motion of Professor Gammell, the thanks of the Society were voted to Professor Greene, for the very able and instructive paper read before them.

In the impromptu discussion which followed, many interesting incidents were related by Rev. Mr. Stone, and others, respecting Major Thayer and other Rhode Island officers who were present in that engagement.

#### SPECIAL MEETING.

A Special Meeting of this Society was also held on Friday evening, the first of March, 1867, the Hon. Samuel G. Arnold in the chair.

A paper was read by Reuben A. Guild, Esq., Librarian of Brown University, upon the contest between the towns of Warren, East Greenwich, Newport and Providence, for the permanent location of the College, the same being a chapter of his History now passing through the press.

In the year 1764, the Rev. James Manning removed from Elizabethtown, New Jersey, to Warren, Rhode Island, and there opened a Latin School as a step preparatory to the beginning of College instruction. The year following, he was chosen President of the College, and in 1769, his first class was graduated. The occasion drew together a large concourse of people from all parts of the Colony, and thus inaugurated the first State holiday of which there is any record. It was then proposed to have the College in Warren, where a building was to be erected for its use. Soon afterwards an effort was made to secure the College in East Greenwich, and subscriptions were obtained for this purpose. Providence now came forward and urged that the College be located there. A special meeting of the Corporation was held in Newport, on the fourteenth of November, 1769, which continued three days. At this meeting the claims of the different towns were presented and urged. It was finally voted to place the College in the county which should raise the most money. Newport, with her superior wealth and population, now seemed most likely to secure the prize, but the skill of the President and the resolute energy of Governor Hopkins and the Brown family prevailed. The final contest was between Newport and Providence, which had long been regarded as rival towns, and the centres of opposing political par-

ties. At a special meeting of the Corporation, held in Warren, on the seventh of February, 1770, it was voted, twenty-one to fourteen, that the College edifice "be built in the town of "Providence, and there be continued forever."

In the preparation of this chapter of his History, Mr. Guild, as he states, has freely availed himself of a file of papers presented to the University in the year 1833, by Mr. Moses Brown, the founder of the Friends' Boarding School, in Providence. The following letter, relating to these papers, written by the venerable philanthropist when in his ninety-fifth year, will be interesting to our readers. It is published in *The College History* entire, although the latter part relates more particularly to Roger Williams and the First Baptist Church:

PROVIDENCE, 25th of 5th month, 1833.

ESTEEMED FRIEND, FRANCIS WAYLAND:—

Agreeable to encouragement given thee when at my house, I herewith send thee a file of papers containing copies of originals, which I preserved at the time of their transactions, respecting the removal of the College from Warren, after the Corporation had set the Location of it at liberty from Warren, where it had been concluded to place it, and where the first Commencement was held. I had them copied soon after we conversed about them, when thou seemed, as I thought, to have a choice for them. I wish they were better done, but such as they are, after comparing, I leave them at thy disposal. I presume there are no other writings or copies that contain the same, or so full accounts of the progress, labor, and I may say, anxiety which occurred on the subject at and about that business. When the fixing of the College edifice here was firmly settled, rather than at Warren, Newport, or East Greenwich, which all claimed the preference, our house, then composed of four brothers, viz., Nicholas, Joseph, John and Moses Brown, concluded to take charge of building the necessary buildings, purchasing land for the same, etc. At that time, gardens and buildings were to be purchased and removed, besides the site for the College; for we then knew the lot from Main street to the neck road on the east was the original home lot of our ancestor, Chad Brown, of whom we had the tradition that he was the first Baptist Elder in Providence. Doct. Edwards when collecting materials for the history of the Baptists here, and examining all the elderly people he could find here, on which business I accompanied him, was informed that Chad Brown was the first Elder, although Roger Williams being a preacher before he came here, was a preacher and continued it here for some time. Richard Scott says he was with him in the Baptist way three or four months, when Roger left

them, and went in a way of seeking. Roger's testimony respecting Chad Brown, I have under his own hand, in a plea of his before the Court of the four New England Colonies, saying, "Chad Brown, a wise and godly soul, (now with God,) "with myself brought the first twelve and the "after comers to a oneness by arbitration." Chad and his wife were buried in their own lot near the northwest corner of the now town house, and had a large square monument of granite over them, till by the request of the town to widen that street, their bones were taken up and interred in the North Burying Ground, and head and foot stones were erected over them by the town. I saw their remains when taken up. His son John Brown (his eldest) was also a preacher, but not an elder, and was the father of James Brown, long a Baptist elder until his death. Thou may see by all this our family had an interest in promoting the Institution now called Brown University, besides the purchase of the name by my worthy nephew Nicholas; and I hope it may continue useful to posterity and retain the liberal principles of the founders of the State and Institution.

Here I may mention that Chad Brown was one, who, in 1640, as a committee-man of the town, reported a plan for the peace of the then town and the establishment of liberty of conscience, and who, in 1643, was appointed to mediate between the Governor of Massachusetts and the settlers in Warwick. These, however, are matters of history, the first in *Simplicity's Defence*, the other in *Hazard's State Papers*. Possibly thou may not have known he also appears on our town records to have been a surveyor of land in early times.

When I began this letter, I had nothing more in view than a few lines to introduce the copies of the minutes, letters, etc., respecting the removal of the College here, but as I have gone further, I conclude to give thee my own knowledge respecting the changes and alterations in the Baptist church in this town, which was in very early time known by the name of Six Principle Baptist. In proof of this, I have an original letter of Elder Pardon Tillinghast, signed by himself, Gregory Dexter and Aaron Davis, in behalf of the brethren of the church in this town, dated in the 5th month, then July, 1681; and this is confirmed by Elder Tillinghast's deed of the Baptist meeting house and lot to the church. Their views are explained by the passage in Hebrews, 6: 2, "laying on of hands." This was the agreed practice in 1732, at a special meeting of the ministers and elders at Elder Brown's, signed by ten ministers and fourteen other members on this subject.\* Also I have a pamphlet written

\* This letter is published in *Manning and Brown University*, page 154.



by James Manning, to a minister desiring his views on the subject, as appears by comparing the manuscript with other writings of his. I mention these facts, not that I consider them otherwise than historical facts, which in the modern history of the society are contrarily represented to support the present ruling writers. Indeed, the difference is marked between the old church of the Baptists in this town and after Elder Manning, a worthy godly man and an excellent preacher, whom I attended in his last moments, and whom we all loved. In divers respects, however, his practice was different from the church here, and much difficulty was in the meeting upon the subject of singing and the contribution box, these being never before known. To give a vote of the church in favor of the first more particularly, the female members were called upon to vote, though not usual, and my mother and sister attended accordingly. This occasioned a serious division with the old deacons and members. Elder Manning having powerful aid from some of the old members, and being prudent enough to keep himself out of the strife, preserved the affection most generally of the church. At length a separation was concluded on, the meeting house and lot were sold, the money was divided, the meeting house in Johnston on the plain was built, and also the house now called the First Baptist. My brother Joseph was a member of the church, and when he brought his contribution box to my mother's pew, I now remember my reluctant feelings for him, our family and the church never having seen the like in our meeting, though often in the Congregational and other churches. And though much has been said of Roger Williams as being a Baptist, yet in his book of *Hireling Ministry none of Christs*, printed in 1652, on page 8, he says, "Jesus Christ never made bargains with 'his messengers or pastors,'" and on page 14, he says, "Universities as to the ministry of Jesus 'Christ are none of his institutions; the title 'scholar appointed to the ministry is a sacrilegious and thievish title, robbing all believers 'and saints.'" These views of Roger I believe are little known by Baptists, as the book is out of print.

#### 6.—AMERICAN ETHNOLOGICAL SOCIETY.

At a regular meeting of the Society, held on the thirteenth of February, 1867, a large number of members were present, and, also, by invitation, Doctor Herzig, of Switzerland, and Henry B. Dawson, Editor of the HISTORICAL MAGAZINE.

In the absence of the presiding officers, the chair was occupied by C. E. Habicht, Esq., Swedish Consul-General at New York.

The following gentlemen were unanimously elected: Professor Louis Agassiz, of Cambridge, Massachusetts; General John Meredith Read, Jr., of Albany; the Sheikh Yusef el Aseer, Professor in the University of Cairo, Egypt, and James Pedersen, of New York and India, as *Corresponding Members*, and Henry Nicoll, Esq., of New York City, as *Resident Member*.

After the transaction of certain business relative to the revision of the Constitution of the Society, the appointment of Committees for the ensuing year, etc., the members of the Society enjoyed the opportunity of examining an exceedingly interesting collection of Lacustrine Remains recently brought to this country by Dr. Herzig, from the Lake Pfäffiken, near Zurich, Switzerland.

The Librarian read a brief, but carefully prepared memoir of a lately deceased member, and former Vice President of the Society, the Rev. Francis Hawks, LL.D., from the pen of Mr. Evert A. Duyckinck.

Professor Rau read an interesting paper on *Indian Pottery*, detailing the results of his personal observations and explorations among the places of manufacture near St. Louis, Missouri.

The meeting then adjourned.

#### 7.—LONG ISLAND HISTORICAL SOCIETY.

The Regular Meeting was held on the seventh of March, when Doctor Hayes gave an account of his last Arctic explorations.

A Special Meeting was held on the twenty-first of March, when Professor C. Frederick Hartt, who accompanied Agassiz on his recent expedition, read a paper on Brazil.

The Librarian announced that contributions had been received from the following persons:

Rev. Dr. Farley, Miss Frances M. Caulkins, Charles Deane, John H. Hickcox, D. B. Baylis, Day D. Kellogg, Rev. Dr. Storrs, J. Carson Brevoort, Hon. J. Romeyn Brodhead, Hon. Henry C. Murphy, Hon. Teunis G. Bergen, A. Cooke Hull, M.D., A. N. Bell, M.D., Cyrus Curtiss, Henry Onderdonk, Jr., Charles H. Hart, David M. Chauncey, Mrs. M. C. Brown, Mrs. John H. Stoddard, Captain James Pedersen, Daniel M. Treadwell, G. H. Van Wagenen, Miss Mary Hicks, Hon. John Greenwood, J. Munsell.

The first volume of the Memoirs of the Society is now ready for distribution. The title of the work is: *Journal of a Voyage to New York and a Tour in Several of the American Colonies in 1679-80, by Jasper Dankers and Peter Stuyter of Wiewerd in Friesland*. Translated from the original manuscript in Dutch for the Society by Henry C. Murphy.



The following members were elected in March : John Morton, Charles Cooper, Robert R. Raymond, Marcus Walker, Sidney V. Lowell, Samuel Sloan, R. S. Stenton, Robert Benson, Jr., John V. Van Doren, Homer B. Hawkins, Warren Murdock, Leroy F. Lewis, A. H. King, George W. Leach, Robert C. Geer, E. D. Gilbert, Edward Filley, George C. Blanke, George Brown, John Barker, M.D., Alexander Agar.

#### 8.—THE BUFFALO HISTORICAL SOCIETY.

The first meeting of the Club of this Society was held at the residence of Hon. Millard Fillmore, on Monday evening, the seventh of January, and was largely attended.

Sherman S. Rogers, Recording Secretary, read the minutes of the last meeting, containing an interesting statement of the discussion which followed the reading of Mr. Dorsheimer's paper on the late Albert H. Tracy.

The following report of the committee appointed to prepare a resume of the meetings of last year was then read :

##### RESUME.

The Club meetings of the Buffalo Historical Society were resumed upon the fourth day of December, 1865, at the residence of the President. The course of readings for the winter was opened by the Rev. Dr. Hosmer, with a paper entitled *The History of a New England Town, as Disclosing the Elementary Process out of which True Republics must grow*.

It is hardly necessary to say that this was a valuable paper, and that it was something more than the mere history of a town.

The distinguished writer, whose absence this evening we should sincerely regret, were he not engaged in a more important and larger field of duty, and who carries with him our best wishes for his success and personal welfare, has sketched the history of a very celebrated and ancient town in Massachusetts, and made it the occasion for a philosophic analysis of the elements that constitute a State, illustrating thereby the beginning and the growth of a true Republic.

The second meeting was on the eighteenth of December, at the residence of S. S. Jewett, Esq. The Hon. Lewis F. Allen, at the request of the Club, read a paper having for its subject *The Cholera in Buffalo in 1832*.

The subject of *City Sewerage and Sanitary Science* was discussed by O. G. Steele, Esq., at the residence of Hon. F. Lewis Allen, at Black Rock, on the third of January, 1866. This paper related the writer's successful efforts to initiate in this city that admirable system of sewerage which has been carried to its present extent by

the city authorities. Mr. Steele's paper contained excellent and pertinent observations and suggestions on the general subject of sanitary science.

The Club having been invited by W. C. Young, Esq., to accept his hospitality, were entertained by him, at his residence, with the *Reminiscences of the Erie Canal Survey of 1817, by a Rodman and Chainbearer*. The Committee may be permitted to say that the series of papers and recorded discussions opened by Colonel Young's *Reminiscences* have contributed to the history of the Erie Canal many valuable and interesting facts, which otherwise would have been lost.

Colonel William A. Bird having been invited by the Club to address it upon the *Early Transportation from Albany to Buffalo, and the Incipient Measures Relative to the Erie Canal*, accepted the invitation, and read a paper upon the subject, at the residence of Gibson T. Williams, Esq., on the twenty-ninth of January, 1866. The opening chapter of the early history of the commerce of Niagara River and the Western Lakes would have lacked a chapter of the highest interest and importance, had Colonel Bird declined to give to us the advantage of his personal reminiscences, and his recollections of the narratives of its pioneers. In this paper the subject of the early history of the Erie Canal, and the writer's views upon the question of its origin (afterwards so elaborately examined by Mr. Hawley), were stated and explained.

Oliver G. Steele, Esq., having offered his residence for the meeting on the sixth day of February, 1866, a biographical sketch of the late Solomon G. Haven, written by Hon. N. K. Hall, was then read. It will not, we trust, be regarded as out of place, if we mention that James M. Smith, Esq., at the conclusion of this paper, pronounced an eulogy upon Mr. Haven's personal and professional character, which, fortunately, was recorded by the Secretary, and is preserved in the minutes of the meeting.

The Club meeting on the twenty-first of February, 1866, was at the residence of General Howard, when M. S. Hawley, Esq., resumed the discussion on the subject of *The Origin of the Erie Canal*, in a paper displaying elaborate historical research, in which the whole subject was carefully examined. This paper has since been published.

The meeting of the eighth of March, 1866, was held in accordance with an invitation of C. F. S. Thomas, Esq., to accept of his residence for that evening.

The Hon. Lewis F. Allen read a paper which he had prepared from his personal recollection, entitled, *The City of Refuge on Grand Island and the History of the Corner-Stone*.

This paper is an important contribution to our local history, and its value is enhanced by the fact that Mr. Allen has obtained this "stone" of

local celebrity and placed it in the rooms of the Society.

Upon the same evening, William H. Green, Esq., read a *Biographical Sketch of the late Thomas T. Sherwood*, in his lifetime a distinguished member of the bar of this county.

In the department of Biography, the contributions to our papers have been exceedingly valuable, and to show this we need to refer only to the sketch of the late Judge Hoyt, by Hon. John B. Skinner; of Edwin T. Skinner, by Judge Clinton; of the distinguished artist, Wilgus, by Mr. Sellstedt; of George Palmer, by Hon. Geo. R. Babcock; of T. C. Welch and Albert H. Tracy, by Wm. Dorheimer, Esq.; of Henry Daw, by Hon. H. W. Rogers; of Walter Joy, by O. G. Steele, Esq.; of Asa Rice and Joseph Clary, by Hon. Millard Fillmore; of Solomon G. Haven, by Judge Hall; of Mr. Sherwood, by W. H. Green, Esq.; and of Rev. W. S. Brown, by Rev. Dr. Heacock. It is greatly to be desired that these, with other contributions which might be selected, should be preserved in a permanent and accessible form.

Colonel James L. Barton read the paper of the next meeting, at the residence of Colonel Viele, on the twentieth of March, 1866, upon a subject which no other person could render with greater interest or illustrate with more interesting and suggestive facts. Colonel Barton's paper will constitute one of the sources from which the future historians of the city will derive a mass of valuable information, which could alone have been supplied by our venerable fellow-citizen, as the result of personal knowledge and actual observation.

The meetings of the past winter were closed by the reading of papers by Dr. Lothrop upon *Ozone*, and a *Biographical Sketch of the late Rev. William Steele Brown, the First Pastor of the Unitarian Parish in this City*, by the Rev. Dr. Hosmer, at the residence of Hon. John B. Skinner.

The meetings of the last winter, as this report will show, were no less interesting, considered with reference to the papers submitted, than those of former years. The attendance has been large, and the interest well sustained.

At this opening meeting of another year, we have reason to congratulate ourselves on the prosperity of the Historical Society, and upon the indications which promise that the Local History of the City and of Western New York will this winter receive further and quite as valuable contributions as those which on this and on former occasions we have had the pleasure of receiving.

Richard Williams, Esq., read the paper of the evening, entitled, *Personal Observations in the Great Basin*. It was a very concise and an extremely well-written paper.

The next meeting will be held on the twenty-first instant, at the residence of O. G. Steele, Esq., on Franklin street. Hon. L. H. Mayor, of Rochester, will read a paper relating to the history of the Senecas.

Respectfully submitted, in compliance with a resolution of the Board of Managers.

January 7, 1867. [Com. Adv., Jan. 8th.

#### 9.—PENNSYLVANIA HISTORICAL SOCIETY.

*Philadelphia, April 9.*—A Stated Meeting of the Historical Society of Pennsylvania was held last evening, in its hall, Athenæum Building, southwest corner of Sixth and Adelphi streets, Colonel J. Ross Snowden, President, in the chair.

Mr. Snowden read a letter from D. Rodney King, Esq., presenting to the Society an old volume containing the proceedings of the Democratic Society of Philadelphia, from June, 1793 to 1794, David Rittenhouse, President; Casper Coates and David Jackson, Vice-Presidents. The names of other prominent citizens are enrolled as Secretaries and Board of Directors. The volume is in a good state of preservation, and is quite an interesting document.

Colonel John S. Warner delivered an address, his subject being the history of the song, "The "Star-Spangled Banner," from his own recollection.

He said that just previous to the attack on Baltimore, and the bombardment of Fort McHenry, on the twelfth, thirteenth and fourteenth of September, by the British army and fleet of fifty sail, Francis Key, Esq., a lawyer and writer of merit, was commissioned by our Government to visit the military powers of the invading fleet, and to negotiate some international-law matters regarding an exchange of prisoners, etc. Mr. Key went down to the fleet under a flag of truce. He was received with courtesy on board of Admiral Cockburn's ship, but it being on the eve of the attack on Baltimore and the Fort, it was deemed expedient to detain Mr. Key as a prisoner till the result of the action was ascertained. Thus Key became a painful witness of the bombardment. We may well imagine the anxious feelings of poor Key during the long shelling through a dark and rainy night, but when the dawn of day broke on the fourteenth, and developed the sight, the starry banner still proudly waving on the fort's flag-staff, we can well imagine Key's joy of heart. It was during this detention and consequent excitement of patriotic feeling, that Mr. Key composed the outlines of the national hymn, "The Star-Spangled Banner." After his liberation, Mr. Key returned to Baltimore, and there perfected this very interesting and deep-hearted national poem. The British having been defeated, at once returned



down the Chesapeake Bay, Mr. Key gave the song to Mr. Benjamin Edes, of Baltimore, who printed and distributed it to the citizens. It was first sung at a small frame house, next to the Holliday-street Theatre, in a place kept by Colonel McConkey—a house where the players and quidnuncs of that day met to do honor and to prepare the daily military drill; for every man was then a soldier. It was in September, 1815, when a lot of young volunteers, defenders of the Monumental City, were thus assembled, when Captain Thomas Warner and Captain Edes called the group to listen to the patriotic song. After the song had been read, it was suggested that Ferdinand Durang should sing it. He mounted an old chair and sang the beautiful hymn, the chorus to each verse being re-echoed by those present with infinite harmony of voices.

#### 10.—WISCONSIN STATE HISTORICAL SOCIETY.

*Madison, January 3, 1867.*—The Annual Meeting of the Society was held to-day, the President, I. A. Lapham, LL.D., in the chair.

An amendment to the constitution, providing for five Honorary Vice-Presidents, not residents of Wisconsin, was adopted.

A committee was appointed to nominate suitable officers to fill the places of those whose terms have expired, the vacancy, and for the Honorary Vice Presidents.

During the absence of the committee, the Treasurer's Report was read, and adopted when audited; and the Report of the Executive Committee was read and adopted.

From this Report we learn that the Society is in a flourishing condition.

The Treasurer's Report exhibits the receipts and disbursements of the year. Including the small balance on hand at the commencement of the year, the receipts have been \$1,044.94, and the disbursements \$928.02—leaving an unexpended balance of \$116.92 in the Treasury. Of this expenditure, \$778.04 has been for books, papers, freight and binding—all relating to the direct increase of the Library, and \$149.98 for postage, printing, repairs, and incidental purposes. In no former year have the expenditures been proportionately so large for the Library proper, and the incidental expenses so small.

During the past year, the Library additions have been 923 volumes, and 2,711 unbound documents and pamphlets, numbering together 3,633. Of the volumes proper, 210 were purchased, including newspaper files, bound by order of the Society, and 713 donated; and, of this number, 50 are quartos, 123 folios, and the rest chiefly of octavo size. The Library now includes 1,124

folios, and 914 quartos. To our newspaper department have been added 160 bound volumes, making the total number in the collection 1,296, of which 138 were published in the last century, and one in the century preceding.

The past and present condition of the Library is shown in the following table:

	Vols Added.	Doc's & Pamp's.	Both Tog'hr.	Total in Lib.
1854 Jan. 1.....	55	....	50	50
1855 Jan. 2.....	1000	1000	2000	2050
1856 Jan. 1.....	1065	2000	3065	5115
1857 Jan. 6.....	1005	300	1305	6420
1858 Jan. 1.....	1024	959	1983	8403
1859 Jan. 4.....	1107	500	1607	10010
1860 Jan. 3.....	1800	725	2525	12535
1861 Jan. 2.....	837	1134	1971	14504
1862 Jan. 2.....	610	711	1321	15825
1863 Jan. 2.....	544	2373	2917	18742
1864 Jan. 2.....	248	355	604	19346
1865 Jan. 3.....	520	225	746	20092
1866 Jan. 2.....	368	806	1174	21266
1867 Jan. 3.....	923	2811	3734	25000
	11101	13899	25000	

The committee on nominations reported a ticket, which was duly elected.

The list of officers, as now filled, stands thus:

*President*—I. A. Lapham, LL.D.

*Vice Presidents*—1. Gen. Wm. R. Smith, Mineral Point; 2. Hon. Henry S. Baird, Green Bay; 3. Hon. Edward Salomon, Milwaukee; 4. Hon. James R. Doolittle, Racine; 5. Hon. Walter D. McDindoe, Wausau; 6. Hon. James T. Lewis, Columbus; 7. Hon. Harlow S. Orton, Menasha; 8. Hon. L. J. Farwell, Westport; 9. Hon. Angus Cameron, La Crosse; 10. Hon. Wm. A. Lawrence, Janesville.

*Honorary Vice-Presidents.*—1. Hon. Cyrus Woodman, Mass.; 2. Hon. Perry H. Smith, Ill.; 3. Hon. Henry S. Randall, N. Y.; 4. Hon. John Catlin, N. J.; 5. Hon. Stephen Taylor, Pa.

*Recording Secretary*—Col. S. V. Shipman.

*Corresponding Secretary*—Lyman C. Draper.

*Treasurer*—Prof. O. M. Conover.

*Librarian*—Daniel S. Durrie.

*Curators—Ex-Officio*—Hon. L. Fairchild, Governor; Hon. Thos. S. Allen, Secretary of State, and Hon. W. E. Smith, State Treasurer.

*For One Year*—Dr. C. B. Chapman, Hon. D. J. Powers, Dr. Jos. Hobbins, Hon. S. Mills, F. G. Tibbits, Dr. A. H. Van Nostrand, Gen. G. P. Delaplaine, S. U. Pinney, Hon. Geo. B. Smith.

*For Two Years*—Hon. E. B. Dean, Hon. L. Fairchild, Prof. E. S. Carr, J. H. Clark, Col. E. A. Calkins, F. H. Firmin, Hon. L. B. Vilas, Gen. D. Atwood, H. Rublee.

*For Three Years*—Hon. James Ross, Prof. J. D. Butler, S. G. Benedict, S. H. Carpenter, E. W. Skinner, Hon. Geo. Hyer, J. D. Gurnee, N. B. Van Slyke, Hon. D. Worthington.

The Annual Meeting then adjourned.



## 11.—MINNESOTA HISTORICAL SOCIETY.

*St. Paul, January 21, 1867.*—The Society held its Annual Meeting to-day in its Rooms in this city. A large number of members were present.

H. M. Rice, President of the Society, took the chair, and stated that the first business in order was the annual reports of the retiring officers.

Peter Berkey, Esq., Treasurer, presented his annual report, showing a balance of \$31.65 in the Treasury.

Charles E. Mayo, Esq., Secretary, read his annual report enumerating the donations of the past year.

The Society then proceeded to elect officers and members of the Executive Council for the ensuing three years.

Hon. H. M. Rice was re-nominated for President, and C. E. Mayo for Secretary, but each of those gentlemen peremptorily declined a reelection.

The following officers and members of the Council were then elected:

*President*—H. H. Sibley.

*Vice Presidents*—1. D. A. Robertson; 2. W. Ingersoll; 3. R. Blakely.

*Secretary*—J. F. Williams.

*Treasurer*—P. Berkey.

Rev. J. Mattocks, Rev. S. Y. McMasters, Hon. W. R. Marshall, Hon. H. M. Rice, Rev. John Ireland, J. D. Ludden, A. H. Cathcart, G. A. Hamilton, W. H. Kelley, C. E. Mayo, A. J. Hill, Dr. C. DeMontreville, Henry H. Eams, R. O. Sweeney, W. B. Dean, S. B. Woolworth, J. P. Pond, Hon. S. J. R. McMillan, Hon. A. Goodrich.

Col. D. A. Robertson, 1st Vice-President, took the chair.

Some debate ensued as to whether the officers elected were officers of the Society or of the Executive Council. The constitution being blind on that point, Rev. Dr. McMasters gave notice that he should move an amendment at the next annual meeting to remedy the defect.

The Society then adjourned.

## XXI.—BOOKS.

## 1.—RECENT PUBLICATIONS.

1.—*The Journal of Isaac Norris, (afterwards Speaker of the Assembly,) during a trip to Albany in 1745, and an account of a treaty held there in October of that year.* Philadelphia: Printed on the Hawthorne Press. 1867. Six pages unnumbered, iv., 31; octavo.

This is a beautifully-printed volume, embracing a brief preface, the *Journal of Isaac Norris*

—who was one of the Commissioners from Pennsylvania who attended the conference with the Five Nations and the River Indians, and effected a treaty with them, at Albany, in October, 1745—and a sketch of the life and services of Mr. Norris, abridged from a more extended memoir, by Isaac Norris, Esq., of Philadelphia. The conference referred to was a notable one; and we need not enlarge on the value of this tract, as a contribution to the materials for History, since it will be obvious to every reader.

But the volume before us is peculiar for other reasons than the historical value of its contents. It is a fine octavo, printed with old-style type, on large quarto paper, tinted, and of fine quality; and for beauty of workmanship, (although, like all others, not wholly without fault,) it will compare favorably with the "fine books" turned out by our best printers in New York and Cambridge—in some cases which we know of, indeed, the professional printers have not approached it in the perfection of their workmanship—although it is the work of a non-professional amateur, a private gentleman, Mr. J. P. Norris, of Philadelphia, who was his own compositor, proof-reader, and press-man, employing only a small *Ramage* press in working off the sheets.

The title-page is displayed with taste; and yet it more nearly approaches the style which prevailed in the middle of the last century than is usual in the work of modern professional compositors, who are not often acquainted with the peculiarities which mark the typography of a century and a quarter since; and as a specimen of woodcut printing, the coat of arms at the head of the Dedication puts to the blush the widely-celebrated printer in Vandewater street, New York, whose laurels, well-earned, may be taken from him, before he suspects it, by this or some other amateur in Philadelphia.

We welcome this volume, therefore, because of its intrinsic merits as materials for History, which, sooner or later, may serve some anxious student and relieve him of some portion of his burden; and we welcome it, also, because it indicates a taste existing in at least one parlor in our country, which does not hesitate to prompt its possessor to take off his coat and honor himself by becoming, personally, a producer of two blades of grass where only one existed before. The honest pride with which Mr. Norris asks his correspondents and friends to accept this memorial of his taste and mechanical skill is unknown to those who merely purchase the taste and skill of others to do for them what they could have done for themselves; and, although he is an entire stranger to us, even as a correspondent, we take pleasure in giving to him the honor which is justly his due.

The edition numbered eighty copies.

THE  
HISTORICAL MAGAZINE.  
EXTRA.

Vol. III. THIRD SERIES.]

DECEMBER, 1874.

[EXTRA, No. II.

**THE PROGRESS OF  
DESPOTISM!**

**THE RIGHTS OF THE PRESS  
INVADED!!**

**WHERE IS THE NEXT VICTIM?**

HOW THEY DO THINGS, IN NEW YORK  
CITY.

HOW THEY DON'T DO THINGS, IN WASHINGTON.

MORRISANIA, NEW YORK CITY.

TO THE PRESS, THROUGHOUT THE UNION :

*Your dispassionate attention is respectfully invited to the lawlessness, in the administration of the postal service of the United States a recital of which is presented to the Postmaster-general in the annexed letter; and you are respectfully asked how much safer YOUR mail-matter will be, than mine was, whenever a petty Postmaster, with this precedent before him, shall incline, FOR ANY REASON, real or imaginary, and WITHOUT ANY NOTICE, to toss it into a corner instead of sending it to your subscribers?*

Very Respectfully, Yours,

HENRY B. DAWSON,

Editor and Proprietor

HISTORICAL MAGAZINE.

[Letter from the Editor, Publisher, and Proprietor of THE HISTORICAL MAGAZINE to the Postmaster-general of the United States.]

HISTORICAL MAGAZINE OFFICE,  
MORRISANIA, NEW YORK CITY,  
October 26th, 1874.

THE POSTMASTER-GENERAL  
OF THE UNITED STATES,  
SIR:

Although the Department is well informed on the subject, I do not hesitate, in view of the great public interests which are involved, to call its attention, again, to the manner in which the Post-office in this place has been managed by DUBOIS B. FRISBEE, the local Postmaster, and by those who are under his control, and to the consequent wrongs to which, in common with

many of my neighbors, I have been subjected; and I repeat the story, as far as I am concerned in it, notwithstanding the Department has ceased to even acknowledge the receipt of my letters bearing testimony to the lawlessness complained of, and continued to sanction, by its countenance and continuance in authority of the wrong-doer, the outrages to which I have so often called its attention.

THE HISTORICAL MAGAZINE was established in January, 1857, as a monthly periodical devoted to the Antiquities, History, and Biography of America; and few publications, devoted to special branches of knowledge, have secured and maintained a higher reputation, in every part of the Union. It circulates, principally, as it has always done, to yearly subscribers—very many of them dating back to its first number—and these are residing in every State in the Union, except Mississippi, in every Territory, and in Canada, England, France, Holland, and Greece. Although its subscription list is small, when compared with those of the purely literary periodicals of the day, there are few, if any, devoted to special subjects, which have secured and steadily maintained as large a circulation as it has; and there is not one, of any class, which has enjoyed, and still enjoys, the confidence and support of a greater number of those whom the world recognizes as its leading minds, in the Churches, the Army, the Bench and Bar, the public service, or the higher walks of private life, from one extreme of the Continent to the other. It has been edited, successively, by JOHN WARD DEAN, A. M., now the able Librarian of the New England Historic Genealogical Society, of Boston; Hon. GEORGE FOLSOM, LL.D., subsequently the Minister of the United States to the Netherlands; JOHN GILMARY SHEA, LL.D., the distinguished historian of the Catholic Church; and HENRY R. STILES, M.D., the well-known and capable annalist of Windsor, Connecticut and Brooklyn, New York; and, in June, 1866, it passed into my hands, by purchase, when its editorial control was assumed by myself, and has not been relinquished. It was published, with commendable punctuality, until October, 1871, when I was stricken down with

congestion of the brain, and, for more than a year, withdrawn from all mental labor; and not until January, 1873, was I permitted to resume my ordinary labors and the publication of the Magazine, since which time it has been regularly published, month by month, until the present time; and I know no reason, unless the exercise, by the Federal authorities, of a power unknown to the Constitution, why it shall not continue to be so published, hereafter, as it has been, hitherto.

Soon after I returned to my duties, in the early part of 1873, I began to send out specimen numbers of the Magazine, accompanied with explanatory letters, all pre-paid; and several thousands were thus sent out, from the Post-office in this place. Subsequent enquiries proved, however, that a very heavy proportion of those pre-paid specimen numbers and letters were never delivered to those to whom I had addressed them, although nearly all those persons were well known in the vicinity of their several addresses, and were in the receipt of their ordinary mail matter. Heavy losses were also experienced by my subscribers, even by those who had been subscribers for the entire fifteen years of the publication; and the tax imposed on me, in replacing those stolen numbers, to my subscribers, became exceedingly onerous.

Soon afterwards, a letter was received by The American News Company, my General Agent for supplying the Trade, from a person residing in the vicinity of the Grand Central Depot, the city terminus of the railroad which carries the mails from this place to the Distributing-office, in the city, offering to sell a large number of the monthly numbers of the Magazine, at reduced prices, *although absolutely NONE had left this office, except those sent to yearly subscribers, to the News Company referred to, and, as pre-paid specimens, sent to specific addresses;* and I was led to inquire, from that circumstance—as I had once before been led to enquire—just how the postal affairs of the village had been conducted. *The result of that inquiry is known to the Department, as the result of the former inquiry is known. I found open, unblushing irregularities, either of which would enable any stranger to help himself from any mail matter, at his pleasure;* and these, and other wrongs, inflicted on me, by the local Postmaster and his assistants, were duly reported to the Department, under the supposition that, in that Department, at least, every one was required to do his duty, faithfully, without regard to personal or political influences.

Special Agent SHARRETTS was ordered "to give the matter a thorough investigation," as it was termed; and, at the request of that officer,

Post-office, in this village, to assist in that very desirable and very necessary, so-called, "thorough investigation." He had previously desired me to make specific charges in writing, against the offending Postmaster; and earnest protestations of the rigid impartiality which would control the proposed inquiry, accompanied with unmistakable intimations of his own personal knowledge of other irregularities in the Morrisania office than those of which I had complained, over and over again volunteered by the Special Agent, led me to suppose that my confidence in the integrity of the Department, in the conduct of the vast business entrusted to its care, had not been misplaced.

In accordance with Mr. SHARRETTS's request, I presented written charges against the offending Postmaster, FRISBEE, as follows: FIRST, Illegal exposure of mail-matter to those who are not legally authorized to have access to it; SECOND, Illegal detention of mail-matter outward; THIRD, Extortion, enforced by illegal detention of mail-matter, inward; FOURTH, Personal inattention to the duties of his office; and, not in writing, I also impeached the authority of Mr. FRISBEE to discharge the duties of the office, because he had legally vacated his appointment, as Postmaster, by accepting and holding two other appointments of emolument, from local political authorities—one of them from the Board of Supervisors of Westchester-county; the other from the Board of Trustees of the town of Morrisania—either of which disqualified him, under the terms of the President's Executive Order of the seventeenth of January, 1873,\* from holding that or any other Federal

\* The following is an extract from that Order:

"Whereas it is believed that, with few exceptions, the holding of two such offices by the same person is incompatible with a due and faithful discharge of the duties of either office; that it frequently gives rise to great inconvenience, and often results in detriment to the public service, and moreover is not in harmony with the genius of the Government:

"In view of the premises, therefore, the President has deemed it proper thus and hereby to give public notice that, from and after the fourth day of March, A. D., 1873, except as herein specified, persons holding any Federal civil office by appointment under the Constitution and Laws of the United States will be expected, while holding such office, not to accept or hold any office under any State or Territorial Government, or under the Charter or Ordinances of any municipal Corporation; and further that the acceptance or continued holding of any such State, Territorial, or municipal office, whether elective or by appointment, by any person holding civil office, as aforesaid, under the Government of the United States, other than judicial offices under the Constitution of the United States, will be



office yielding an annual salary of six hundred dollars or upwards.

Under the first Charge, I specified the offender's exposure of my mail matter, or large portions of it, under a counter, in his book store, outside of the room appropriated to the postal service, that counter and whatever was under it having been necessarily exposed to every one who passed from the street, through his book store, into his job printing office, in the rear—I had seen that counter occupied, as a lounging place, by those unto whom I should not have entrusted my mail matter, unprotected; and every one who frequents the premises knows there is little more safety for whatever may be deposited under it than there would be in the open space, outside the counters, which is open to all comers—and I called the Special Agent's attention to Chapter III., Section 30, of the *Regulations*,\* as express instructions of the Department, to say nothing of the great interests which were involved in sacredly securing all mail matter from the manipulations of outside and irresponsible busybodies, as well as from the depredations of those whom curiosity or profit might tempt to become pilferers.

The accused *admitted the truth of my specification, without reserve*; but he pretended to consider, in extenuation, that mail-matter, when under that counter, was perfectly safe notwithstanding its acknowledged exposure—the express provisions of the *Regulations* being entirely disregarded—while the Special Agent gravely assisted in shielding the self-convicted offender, by informing me, in his presence, that *every part of the building in which the Post office was—book-*

store, job-printing-office, Mr. Baker's machine-shop, and the Postmaster's lounging-places, included—was regarded as the Post office and protected, as such, by the Federal law, as if the abstract sanctity of the law, in itself, even when impaired by the acknowledged wrong doing of the offender, could protect anything, anywhere; and as if it remained for an acknowledged offender to determine when he would regard and when disregard the law to which he owed implicit and unceasing obedience.

I also specified, under this Charge, as an open violation of the same official *Regulation*—Chapter III., Section 30\*—the constant delivery and receipt of mail matter—letter-pouches as well as sacks of periodicals—by the accused, to and from persons who were not “sworn and regularly employed,” including street-gammons and other entirely irresponsible persons.

The accused *admitted the truth of this specification, without qualification*, but plead, in extenuation, that it was not *his* business, since those who had contracted to carry the mail were responsible for the safe transmission of the mail-matter, to and from the Post-office.

In reply to that plea, and to illustrate *whose* business it was to protect the mails from possible depredations, by unauthorized outsiders, I called the Special Agent's attention to the provisions of Sections 77 and 238 of the Act of Congress of June 8, 1872,† as well as to Sections 14 and 30 of the official *Regulations*‡ the latter

\* The official *Regulation* here referred to, may be found at the foot of the last Column, on this page.

† Those Sections of the Statute are in these words:

“SEC. 77. That postmasters shall promptly report to the Postmaster-general EVERY delinquency, neglect, or malpractice of the contractors, their agents, or carriers, which may come to their knowledge.”

“SEC. 238. That any person who shall have taken charge of the mail and shall voluntarily quit or desert the same before he has delivered it into the post-office at the termination of the route, or to some known mail-carrier, messenger, agent, or other employee of the Post-office Department authorized to receive the same, shall, on conviction thereof, for every such offense, forfeit and pay not exceeding five hundred dollars, and be imprisoned not less than three months nor more than one year.”

‡ The following are the *Regulations* referred to:

“SEC. 14. ALL postmasters, contractors, special agents, postal railway clerks, route-agents, and other persons employed either in the General Post-office or elsewhere by the Postmaster-general, AND ALL PERSONS TRUSTED WITH THE CARE, CUSTODY, OR CONVEYANCE OF THE MAILS, are obliged, BEFORE ENTERING UPON THEIR DUTIES, and before they can receive any compensation, to take the following oath:”

\* \* \* \* \*

“SEC. 30. A postmaster will suffer NO PERSON WHAT-

“person, and will be taken to be, and will be, treated as a resignation by such Federal officer of his commission or appointment in the service of the United States.”

Justices of the Peace, Notaries Public, Commissioners of Deeds, Federal Marshals who were also Sheriffs or Deputy-sheriffs, and Postmasters “the emoluments of whose office do not exceed six hundred dollars per annum,” were “excepted from the operations of this Order;” but, even in the latter case, the two offices could be held only where the second office was “found not to interfere with the discharge of their duties as Postmaster.”

This “Executive Order” is dated “WASHINGTON, January 17, 1873,” and signed, “By order of the President: HAMILTON FISH, Secretary of State.”

\* The following is the Section referred to:

“SEC. 30. A postmaster will suffer NO PERSON WHAT-EVER, except his duly sworn assistant, clerks, letter-carriers, and special agents, to HAVE ACCESS to the letters, newspapers, and packets in his office, or whatever constitutes a part of the mail, or to the mail locks or keys. This prohibition extends to letter-carriers and ALL OTHER PERSONS who may be employed on other duties than handling the mails.”

of which, to the accused, as an employee of the Department, possessed the force of a positive law.

I also specified, under this Charge, and as an explicit violation of the Statute and *Regulations*, already cited,\* the transmission, by the accused, of parcels of my mail matter, *without sacks or cover of any kind, on the baggage-cars of trains which did not carry the mails, in the custody of the baggage-master only, and exposed to those who as is very well known, ride in the baggage-cars, in every train, either as passengers or "dead-heads."*

The accused admitted the truth of this specification, without qualification, but said, in extenuation, that he had written, *once*, to the Department, on the subject, without offering any evidence, however, to prove that that plea in extenuation was true, in the smallest degree.

In reply, to that plea, I called the Special Agent's attention to the fact that the offence complained of, was an open violation of the Statute as well as of the *Regulations*; that no letter written by the offender, to any one, on any subject, could justify such an infraction of "the supreme law of the land;" and that the exposure of my mails, without even the protection of a sheet of brown paper, to every tramp who, through the sympathy of a Conductor or Baggage-master, could beg a ride in the baggage-car, readily explained how some one, *in the vicinity of the terminus of that mail route*, could afford to sell copies of the Magazine at lower prices than either the General Agent or the Publisher could sell them for.

I also specified, under this Charge, as a violation of the Statute and *Regulations*, already cited, as well as of ordinary prudence and safety, the habitual use of the small postal-room, where the letter-pouches and postal-keys are ordinarily kept, as a lounging-place for both males and females, friends of himself and of his assistant, with the permission of the accused and in his presence;† and I was prepared to prove that

"EVER, except his DULY SWORN assistant, clerks, letter-carriers, and special agents, to HAVE ACCESS to the letters, newspapers, and packets in his office, OR WHAT-  
"EVER CONSTITUTES A PART OF THE MAIL, OR to the mail-locks or keys. This prohibition extends to letter-carriers AND ALL OTHER PERSONS who may be employed on  
"OTHER DUTIES THAN HANDLING THE MAILS."

\* Sections 71 and 288 of the Statute and Sections 14 and 20 of the *Regulations*, are copied in full, in Notes † and ‡, second Column, of the preceding page (3), *ante*.

† The following is the Section referred to:

"SEC. 30. A postmaster will suffer NO PERSON WHAT-  
"EVER, except his duly sworn assistant, clerks, letter-carriers, and special agents, to HAVE ACCESS to the letters, newspapers, and packets in his office, OR  
"WHATSOEVER CONSTITUTES A PART OF THE MAIL, OR to the MAIL-LOCKS OR KEYS. This prohibition extends to

among those who thus resorted to that postal-room, as a lounging place, had been one who had, recently, become a defaulter, as Treasurer of the Board of Education of the town, and absconded, to avoid the immediate consequences of his guilt. I was also prepared to prove, by a witness whom the accused had attempted to tamper with, two or three days previously, that, in one case, a letter containing a check had been opened, and delivered in that condition, without explanation; and I offered to prove, also, if time and means were given to bring witnesses from a distant city, that a letter had been opened, in another instance, and a check withdrawn, when that letter was delivered, also without explanation, to its proper owner.

The accused rendered the production of these witnesses unnecessary, by admitting that others than those who are authorized by law—and none other could enter it, without violating the law—were in the habit of visiting and occupying that room and, consequently, of having access to the letters and the postal keys; and he admitted, also, that letters had been opened, in both the instances referred to by me, and, in that condition, delivered from his office, without explanation, although he denied that any loss had resulted therefrom, to any body. As the checks which were in the two letters which had been thus rifled, were said to have been made payable to the order of those to whom they were sent, and so were useless to the thief, it may readily be supposed that the immunity from loss, which the accused plead in extenuation, was due to the prudence of those who had sent those checks rather than to the official watchfulness of the self-convicted Postmaster or the forbearance of the unconvicted thief.

Under the second of the four written Charges, I specified that a parcel of the Magazine which had been ordered and paid for, by Colonel James Pickands, of Marquette, Michigan, as a regular yearly subscriber—which package I had mailed, at the same time that I had mailed a large number of other packages, also to subscribers, more than a month before, agreeably to Section 159 of the Statute\*—had been OPENED

"letter-carriers AND ALL OTHER PERSONS who may be  
"employed on other duties than handling the mails."

\* This Section is in these words:

"SEC. 159. That on newspapers and other periodicals  
"sent from a known office of publication to regular subscribers, the postage shall be paid before DELIVERY [not before transmission] "for not less than one quarter  
"nor more than one year; which payment may be made  
"EITHER AT THE OFFICE OF MAILING OR DELIVERY, commencing at any time; and the postmaster shall account for  
"said postage in the quarter in which it is received."

‡ I desire the reader to perceive that there is no limit to or prescription of the DATES of the periodicals thus

by the accused not only without any authority, in law, but in open violation of Section 284 of the Statute; \* and I also averred, as a part of the same specification, that the accused *had DETAINED that package, after he had opened it, for more than four weeks, without giving me any information of such detention, and until I had accidentally discovered the parcel, among others of a similar character, lying on a table, within the postal-room of the office, and enquired why it had not been forwarded. There were other parcels of exactly similar character, which were also opened and detained, in violation of my rights and those of my subscribers, under the Statute; but I called the attention of the Special Agent to this case only, as a test-case, because I had previously sent the greater number of the same numbers to Colonel Pickands, several of them pre paid, and they had been, then, also, stolen from the mails, as already stated, in the beginning of this letter.*

The accused *admitted the facts, as stated in my Charge and Specification, including the opening and the detention of the parcels; and when the Special Agent asked for an explanation, he said, in extenuation, that he, the accused, was not satisfied that I had a right to send back numbers of the Magazine, even to subscribers to the work, except as "transient "mail-matter," and that he had detained the parcel in order to "procure information on "the subject"—a detention which, at that time, had occupied, as I have said, more than a month, so deep was the desired "information" buried in the will of the Department's wisdom.*

As the Statute takes no cognizance of the mere *dates* of the works which, under its provisions, can be sent, *by their Publishers*, without pre payment of postage, to those who have subscribed for them—the only statutory conditions being that they shall not be perfect "books," but only portions of books, published at intervals, and sent by their Publishers, "from known "offices of publication," to those who shall have actually subscribed for them†—the shallowness

sent—it is necessary, only, that they shall be *periodicals*, sent from the *publication-office*, to those who shall have *subscribed* for them.

\* The following are the words of this Section, as far as applicable to this matter:

"SEC. 284. That ANY PERSON employed in ANY department of the postal service, who shall improperly DETAIN, delay, embezzle, or destroy any newspaper, or permit any other person to DETAIN, delay, embezzle, or destroy the same, or OPEN or permit any other person to OPEN, ANY MAIL or package of newspapers NOT DIRECTED TO THE OFFICE WHERE HE IS EMPLOYED, shall, on conviction thereof, for every such offense, forfeit and pay not exceeding fifty dollars."

† The provisions of the Statute—Section 159—which

of the plea and the gross character of the outrage were so apparent that even the Special Agent was compelled to abandon the cause of his ward and to condemn the detention of the parcel, on no other pretence than for the purpose of obtaining "information"—and no other was then offered—as a violation of the law and of my rights and those of my subscribers.

In thus condemning the self convicted offender, on the question before him, there are no thanks due either to the superior wisdom or the rigid impartiality of the Special Agent. A Postmaster, at the office of DELIVERY, may legally and properly examine and detain parcels, as specified in the Statute; \* but there is no warrant, in law, for any Postmaster, at the office of MAILING, to detain any mail-matter, indefinitely, at his pleasure, for any purpose; nor to open parcels, when he pleases; nor to "seek information," without forwarding the mails to their destination. The assumption is too monstrous to be entertained for a single moment, even by a Post-office official, such as the Special Agent is, that ANY mail-matter, "not prohibited by law," † can be SILENTLY held back, week after week, and be thrown into a corner, AS THIS WAS, without notice either to the known sender of the parcel or the equally well known person to whom it was addressed, on the mere motion of any local Postmaster, at the office of MAILING, and

control this case may be seen, in full, on page 4 of this Extra. Column 2, Note \*—*ant.*

\* "SEC. 137. That postmasters at the OFFICE OF DELIVERY may remove the wrappers and envelopes from mail-matter not charged with letter-postage nor lawfully franked, when it can be done without destroying them, for the purpose of ascertaining whether there is upon or connected with any such matter anything which would authorize or require the charge of a higher rate of postage thereon."—Act of Congress, passed June 8, 1872.

Compare this with Section 284, of the same Act, which says: "SEC. 284. That any person employed in any department of the postal service who shall improperly DETAIN, delay, embezzle, or destroy, any newspaper, or permit any other person to DETAIN, delay, embezzle, or destroy the same, or OPEN, or permit any other person to OPEN, ANY MAIL or package of newspapers NOT DIRECTED TO THE OFFICE WHERE HE IS EMPLOYED, shall, on conviction thereof, for every such offense, forfeit and pay not exceeding fifty dollars."

† The Statute, on this subject, is in these words:

"SEC. 145. That any postmaster who shall unlawfully detain in his office any letter or other mail matter, THE POSTING OF WHICH IS NOT PROHIBITED BY LAW, with intent to prevent the arrival and delivery of the same to the person to whom it is addressed, shall, on conviction thereof, forfeit and pay not exceeding five hundred dollars, and be imprisoned not exceeding six months, and he shall be forever thereafter incapable of holding the office of Postmaster."



that is, the inquisitive; still more monstrous is the assumption that any newspaper or other periodical which shall become distasteful to a local Postmaster or which may, by its circulation, conflict with his personal or his party's interests, may be *SILENTLY pocketed*, by that official, while it is *in transitu*, to those who may have subscribed and paid for it. How long, if this is to be the *authoriz'd* rule, under the precedent before us, will it be before other and greater outrages, in the conduct of postal affairs, will prevail on every cross-roads on which "information" may be desired by an inquisitive, impertinent, and unprincipled local Postmaster? How long, in such case, before others, in authority, who may desire "information" on business or other subjects, may detain and open the letters as well as the periodicals which shall pass through their offices—there is just as much legal authority and propriety for doing one as the other—"until they can hear from Washington," or elsewhere, whether or not it shall be expedient to obey the law and attend to their own business, instead of their neighbors'?

Defeated in his primary attempt at justification of what was too flagrantly outrageous to admit of an excuse, the accused then sought to justify his conduct by the assumption that, because of the temporary suspension of the publication of the Magazine, from the Autumn of 1871 until late in the Winter of 1872-3, it ceased to be a "periodical," and so became "transient printed matter," the postage on which must be pre-paid, at greatly increased rates of postage, at the office of mailing; and, as the postage on the package referred to had not been pre-paid, that he was justified in detaining it, as he had done. The Special Agent knew, too well, however, that the *ONLY* standard recognized by law and the usage of the Department, in ascertaining what are "periodicals," took no notice of the *time*, but only of the *manner*, in the issue—a "periodical" must be issued, at intervals, from "a known office of publication," to those who, *as subscribers*, have either ordered it to be sent to them or accepted it, when sent, and who have either paid for it or become legally liable for such payment\*—and, when the question was raised, therefore, the Special Agent very promptly and very properly replied that what was and what was not a "periodical," for the purposes of the Department, was determined by the "*manner*" of its publication rather than by the "*time*" of it.

That such is the law and the usage was determined in a case wherein this same Special

Agent SHARRETT'S once made a raid, on malicious charges of criminal conduct in a respectable Publisher, which had been made by another "conceited and ignorant" official; and it may be read by every one, in the public announcement, widely circulated by the Publisher of the work referred to, that the periodical which he issued, "being published quarterly, was decided by the Postmaster-general to be a *periodical*, and subject to only *periodical* postage, and to be paid at the office where received;" although, quite as widely, and in the same number, the announcement is made, that the work referred to "is published quarterly, that is, *four numbers in the year, although not always exactly three months apart, because we publish the numbers at such times as we think they will be most serviceable to our customers.*"\* In another well-known instance, also, the Journals of a Diocesan Convention, published once a year, at entirely different dates, very widely different, is officially recognized as a "periodical," and subject only to "periodical" rates of postage, payable at the office of delivery.† It is the *character, manner, and good faith* of the publication, not its nominal date, nor the rigid *punctuality* of its issue on a specified day, nor whether it is sent to subscribers, *de facto*, or the "*customers*" of the Publisher, nor his "*bad temper and bitter partisan malignity*," as General Dumm, U.S.A., was told was the extent of my wrong-doing,‡ which control the *postal* character of the publication; and it has been reserved to me to be made one of the earliest, if not the first, of the victims of a new and hitherto unheard of policy, prompted by other motives than the public good, and enforced by the exercise of a power which, hitherto, has been unknown in the Department and to the Constitution and Laws of the land.

☞ While the accused printed the Magazine, he needed no "information" from Washington, or elsewhere, concerning its rights, ☞ as a "periodical," or anything else: it was ☞ only after I had found another printer, who ☞ did better work for very much less money, ☞ and after I had exposed his wrong-doings to the Department, as hereinbefore stated, that ☞ he suddenly thirsted for knowledge, concerning the rights and wrongs of THE HISTORICAL MAGAZINE, in the mails, and undertook

\* See *Vick's Floral Guide*, No. 3, 1874, pp. 155, 163.

† The Journals of the Conventions of the Diocese of Western New York, of which the late Right Reverend William Heathcote De Lancey, D.D., was the honored Diocesan. The statement in the text is made on the authority of my friend, William H. De Lancey, Esqr., of New York, a son of Bishop De Lancey.

‡ Letter to Henry B. Dawson, dated "WASHINGTON CITY, "September 26th, 1874."

\* The provisions of the Statute—Section 159—to which reference is made in this place, may be read in Note\*, Column 2, Page 4, of this Extra, ante.

*To play the part of a petty despot, by interrupting its circulation, to distant subscribers, over the mail-routes of the country.*

Under the third of the written charges, I specified that, about the first of December, 1873, I had received a bill for the postage of two periodicals, from that date to the first of March, 1874, which I had promptly paid; that, on the first of January, 1874, a second bill was rendered for postage, from that date until the first of April, 1874, in which bill was included the postage of the two periodicals, just referred to, which I had already paid until the first of March, together with postage on two other periodicals which I had ordered to be discontinued, and postage on four or five others, of which I had not seen nor expected to see a single copy. I called the attention of the accused, through his assistant, to these errors, and asked him to make out a correct bill, which I promised to pay; but, as was subsequently seen, without saying a word on the subject to me or to any of my family, the accused *silently threw my mail matter on a table, out of sight, instead of placing it in my box, and that only because*, as it subsequently appeared, *I did not pay his overcharged bill, as originally presented.* On the following morning, having meanwhile received what purported to be a corrected bill, I again called the attention of the accused—in person, this time—to the fact that he had again included postages which I had already paid, as well as postages on periodicals which I did not either receive or expect to receive, and declined to pay the bill, as it then was; but he swept back my mail-matter, which he had brought forward from the table on which it had been placed, and returned it whence he had taken it, although I had a double box in the office, for the reception of it. I had not, previously, been aware of the detention of my mail, inwards; but, on seeing that I was not to receive it unless I submitted to what I regarded as an illegal extortion of monies, under the name of postage, which he had no legal right either to demand or receive, I paid the bill, as it stood, with all its overcharges, and received my mail.

That the accused had no more right to demand and enforce the delivery to him of the contents of my pocket book, in the case referred to, than a foot-pad would have had, will be evident to every one; and, although it *cost me less to be thus plundered, by a Federal official, than it would have cost me to have continued to be deprived of my mails, the extortion was none the less an outrage nor the official who did it any the less an offender.*

THE TWO RECEIPTS WERE PRODUCED BEFORE THE AGENT, and the accused was constrained to admit the truth of the Charge; but the latter

insisted, in justification, that, because he had “demanded” payment of a bill in which was included some postage which was really due and unpaid—all else being an extortion and a fraud—he was warranted in withholding the mails, as he had done.

In reply to that plea, I reminded the Special Agent that that was not, nor could be, a “demand,” which was made *subject to a correction of errors* which were included in the bill and *acknowledged, by the accused, to have been there*; and that, therefore, no legal “demand” had really been made and no legal authority to withhold any portion of my mail-matter had vested in the Postmaster. I had never, at any time, hesitated to pay the postage which was really due: I did not, then, hesitate to pay what I really owed. I only declined to pay what had been already paid and what I knew to be unfounded charges on periodicals which did not and would not come to me.

I reminded the Special Agent, also, that if what was called a “demand,” was really one, and well-founded, the periodicals which, in such case, must have been received and employed as a basis for the charges on the bill, were certainly due to me, and ought to be delivered, without failure; and that, as *not a single copy* of either of them had been delivered to me, although more than once demanded, the accused was, in that case, clearly guilty of illegally withholding—in other words, of having embezzled—them. In short, I insisted, on the one hand, that there had been no “demand” for anything, since both the bills which had been presented were acknowledged to have been erroneous and were received back, for correction; and so there could not have been a detention of any portion of my mail-matter, without a criminal violation of Section 284 of the Statute;\* but, I also insisted, if I were mistaken in my interpretation of the law of “demands,” and if a “demand” had really and legally been made, the accused had “demanded” monies which were not due, in criminal violation of Section 296 of the Statute.† It will be seen, therefore, that if I was right, in my judgment, the accused had been guilty of embezzlement of

\* The exact words of this Section may be read in Note \*, Column 1, Page 5, of this Extra, ante.

† The words of the Statute, in this case, are these:

“Sec. 296. That if any postmaster, or other person “authorized by the Postmaster-general to receive the “postage of letters, shall fraudulently demand or receive “any rate of postage, or gratuity, or reward, other than “is provided by this Act, for the postage of letters or “packets, on conviction thereof, he shall forfeit, for every “such offense, one hundred dollars.”

my mail-matter, when he refused to deliver it until the erroneous bill had been paid: if the judgment of the *accused* was correct, and a "demand" was really made, he had been guilty of extortion, in demanding monies, and enforcing payment of them, in cases where no such monies were due or becoming due, either in law or equity.

The Special Agent admitted that my point was established, admitting that that could not be regarded as a "demand" which was conceded to have been erroneous; but, at the same time, he attempted to shield the accused from the consequences of that conclusion, by seeking to break the force of the blow which a formal charge of "embezzlement" against the accused would certainly have produced.

*To this day, the periodicals on which I was thus unjustly required to pay postage, to the accused, have not been delivered, even to the extent of a single number, although more than once demanded; and, either the accused has EMBEZZLED that portion of my mail matter, also, or he "demanded" and has retained monies from me which I did not owe, having compelled payment of those monies by the exercise of assumed Federal authority, although neither he nor the United States had any claim for any portion of them, either in law or in morality.*

Under the fourth written Charge, although I was prepared to prove the habits of the accused as a frequenter, during business hours, of an *unlicensed* Club-room, where gambling for money is, every day, the recognized practise, I offered neither Specification nor evidence. I abstained from doing so, at the particular request of the Special Agent, for reasons which were, unquestionably, satisfactory to himself, although they are unknown to me.

Under my verbal impeachment of the assumed right of the accused to fill the office of Postmaster and to discharge its duties, I specified the fact—and proved it, by producing the file of the official *Westchester Times*, that he was, at that time, and had been, long before, the "Official County and Town" Printer, by formal appointment of the County and Town authorities; and that those appointments were, severally, appointments of emolument, such as the President, in his Executive Order of the seventeenth of January, 1873, expressly disallowed in any Federal office holder who receives more than six hundred dollars per year, as his official compensation.\*

I insisted, as I now insist, that, inasmuch as the accused receives more than six hundred dollars per year, from his office as Postmaster, the United States had then, and still has, a right to his entire official time and attention; and that his "acceptance and continued holding" of the profitable appointments of "Official County and Town" Printer shall, in the words of the President, "be deemed to be, and be, treated as" a resignation, by such Federal officer, of his "commission or appointment, in the service of" "the United States," agreeably to the President's Executive Order, to which I have referred.\*

The accused *admitted the truth of the impeachment, without pretending to justify the continued occupation of both offices; and, because of that admission, I pursued this branch of the subject no further.*

When the accused, confronted with his accuser, before a competent tribunal, confesses that he is really guilty of the several Charges which have been brought against him, it is not ordinarily considered necessary to produce any other evidence, to sustain those Charges, than that naked plea of "guilty;" and, as the accused, in the case before you, had openly and unequivocally acknowledged his guilt of all the irregularities of which I had charged him, I did not conceive it to have been necessary to produce witnesses or documentary evidence to further sustain my Charges—I have yet to learn that, unless in "a thorough investigation" of clearly defined and unmistakable irregularities in the postal service of the United States, such as this was said to have been, such a necessity, in such a case, has ever been heard of.

The Special Agent dropped no hint that this "thorough investigation" was to be conducted under more rigid rules than those which prevail when a horse thief or a pirate is made the object of "a thorough investigation," by the District Attorney and a Criminal Court; and as, in such case, the unsupported word of a horse-thief or a pirate is reasonably regarded trustworthy for his own condemnation, without the production of collateral evidence, it did not occur to me, nor did the Special Agent, at that time, seem to suppose, that the unsupported word of the Postmaster at Morrisania was to be regarded, in this case, as less reliable than that of the other culprit, in the other case, for the same purpose. For this reason, therefore, I made no attempt to offer collateral testimony to prove what, in every point, had been, already, fully acknowledged to be true, ALTHOUGH I WAS FULLY PREPARED to do so; and, evidently, very much to the relief of the Special Agent, this "thorough in-

\* The words of the President's Executive Order, applicable to this subject, may be seen in Note \*, Column 2, Page 2, of this Extra, *ante*.

\* Vide the President's Executive Order, of January 17, 1873—Note \*, Column 2, Page 2, *ante*.



"vestigation" was closed in season to allow that distinguished official, *after he had had a private interview with the accused*, to return to the city on the one o'clock train.

Although I was promised that, within three or four days, I should be informed of the result of this "thorough investigation," it was not until the twentieth of March, some six weeks subsequently, that I was early informed by the Department, from Washington, in reply to an enquiry respectfully addressed thereto, that "*the Charges and Specifications were not sustained by the evidence in the case*;"\* and thus, notwithstanding the unqualified confession of the accused, in every branch of the enquiry, that my Charges and Specifications were literally true, the word of the accused, in his several pleas of guilty, was entirely disregarded and the accused was declared to be faultless, continued in his office, and clearly encouraged to continue his work of aggression!!

What further was done by the accused, with the assistance of the Department, after he had been thus *officially whitewashed*, will be noticed, hereafter, when I shall again address you: it is sufficient, now, to invite your attention to the stubborn facts that the postal service, in this populous place, is continued, *and is to be continued, hereafter*, it is said, in the hands of one who, *by his own confession*, has disqualified himself from holding any Federal office which produces more than six hundred dollars per year; who has been guilty of illegally violating the mail-matter deposited in the Post-office which he has illegally managed, for transmission to distant Post-offices; whose postal room, with its varied contents has been illegally converted into a lounging-place for persons of various characters, none of whom are legally authorized to enter that room, for any purpose; who has recklessly exposed mail-matter to depredations, within and without his office, and continues to do so, without even attempting to protect it; against whom accusations are made, openly, of having exposed letters and other mail-matter to pilferers, and of having delivered them, mutilated and opened, to those to whom they were sent—in one case, at least, in a covering of his own hand writing, both the enclosure and the wrapper of which are now before me; who is confessedly guilty of either embezzlement of mail-matter or extortion of monies; and who continues to hold monies which he extorted, in open violation of all law, human and divine.

There is scarcely a person in this vicinity who has not been subjected to his arrogant and oppressive conduct; and an instance of the insolent and overbearing treatment, by his assistant, of the amiable, ten-year old daughter of one of my near neighbors, was described to the Special Agent, after that official had volunteered one of his own statements of already known irregularities in the Morrisania Post office, and drew from him a most emphatic denunciation and declaration that such conduct afforded reasonable cause for removal from office.

I need not say to the Department that such a man, occupying a place which necessarily brings him into contact with nearly every resident of the village—very often with the children and wives of those residents—has made himself and his office perfectly obnoxious to the great body of those who receive their mail-matter through the office at Morrisania; and I venture nothing in saying, also, that, were the experiment to promise any success in securing its purpose, by far the greater portion of heads of families, in this vicinity, would gladly sign a request for his removal from the official station which he has so grossly abused. Indeed, it is openly avowed that, were it not for the support which he enjoys from a prominent politician, who seeks, through the instrumentality of the weakly weekly which this Post-master controls, to obtain some votes which, otherwise, he could not so readily obtain, in his periodical thirst for continued office-holding, this discarded pedagogue could not have maintained his hold on the Post-office, at Morrisania, until now; and the arrogance of his tone, the assurance with which he does his most lawless acts, and the promptitude and pertinacity with which both he and his lawlessness are sustained, against all comers, by the Department, at Washington, indicate, too clearly, that his political associations and his subservency to the partisan demands of unscrupulous demagogues constitute, in this case, a power, behind the law of the land, which is greater than the law and capable of nullifying it, with impunity.

But there is another and a graver principle involved in this matter than any merely personal or partisan consideration; and to that, more than to all others, the attention of the Department is invited.

The *Constitution for the United States* having been found too indefinite and uncertain, in its original guaranty of the security of the Press against the assaults of those in authority, even at a time when despotism was yet unhatched, in the United States, "the Conventions of a number of States, at the time of their adopting the Constitution, expressed a desire, in order to prevent a misconstruction of its powers, that further declaratory and restrictive clauses

\* Letter to Henry B. Dawson, from "J. W. MARSHALL, First Asst. P. M. General," dated "POST OFFICE DEPARTMENT, APPOINTMENT OFFICE, WASHINGTON, D. C., March 20th, 1874."

"should be added" to that Constitution; \* and, in accordance with that "desire," the First Congress, at its First Session, "proposed to the Legislatures of the several States, as an amendment to the *Constitution for the United States*"—*the first of a series, because of its unquestionable importance*—that "Congress shall make no law abridging the freedom of Speech or of the Press."† The Amendment thus proposed was duly ratified by the requisite number of States; and, thenceforth, "the freedom of the Press" has been guaranteed by the solemn compact of the several States composing the United States; and, whatever a *State* Legislature or a *State* officer may do, a *Federal* officer, even if backed by an Act of Congress, can do nothing, *legally*, which shall tend, ever so little, to "abridge" or hamper "the freedom of the Press."

I need not remind the Department that the Press, unshackled, has always afforded the greatest safeguard for the freedom of a People; that the invasion of a nation's liberties has always been preceded and accompanied by a suppression of the freedom of its Press; that the first dawn of liberty is always more glorious by, if it does not directly originate in, the outspoken truths proclaimed from an untrammelled printing-press. For this reason—because of their extreme fear that those in *federal* authority, subsequently, might attempt to do what those in *kingly* authority, previously, had unsuccessfully attempted to do—the great body of the inhabitants of the United States, fresh from the battle-fields of the Revolution and knowing, personally, just what despotism was, demanded, through the several Conventions, that the Congress of the United States should pass "no law *abridging* the freedom of Speech and of the Press," at the same time declaring, with equal emphasis, that no *Federal* officer should pretend to exercise any "power" which had not been authorized by the Constitution itself, because all such "powers," if not voluntarily abandoned by them, were specifically "reserved to the States, respectively, or to the people," individually.

*That* was then declared to be "the supreme Law of the land:" *that*, in solemn mockery, has been verbally recognized by every Federal office holder, in his oath of office, ever since that time: *that* is, at this very moment, the unmistakable LAW, to which all, the accused Postmaster and the Department, as well as myself, owe an honest and entire obedience.

But does not the Department perceive that that

constitutional provision and guaranty was disregarded and nullified, by the lawless Postmaster at Morrisania and, when the outrages committed by him were *officially whitewashed*, by the Department, at Washington, when, as confessed by the accused, *my mails were SILENTLY thrown into a corner of the Post office, instead of being sent to their proper destination?* Is it not evident to the Department that no greater "*abridgement of the freedom of the Press*" can be inflicted, by any despot, no matter how autocratic he may be, than to *close all avenues of circulation from the Press, except those which he himself controls*, as the Department has unconstitutionally undertaken to do,\* and then to receive the several issues of that Press, in apparent good faith, for transmission to their several readers, *throughout the Union, only to throw those issues into a corner, as waste paper, without a word of notice of such detention, to either those who sent or those who expected to receive them?*

*It is only a corrupt administration or one which entertains sinister designs against the constitutional, as well as the reserved individual, rights of the several States and of the great body of those who constitute them, who would entertain a DESIRE to "abridge the freedom of "Speech and of the Press," anywhere: it is only the power of despotism, under the guise of republicanism, which dare, in the uncurbed ardor of its young growth, defy the law and challenge even the power of the Press to the conflict, as has been done, in the instance under consideration.*

\* Notwithstanding the *Constitution* has neither vested the Congress with sole authority, in matters of post-offices and post-roads, nor prohibited the exercise of any such authority by either the States or individuals; and, notwithstanding the Congress, therefore, possesses only a concurrent, and not an exclusive, right in the premises the Congress usurped the authority in the Act of June 8, 1873, to forbid all other expresses or messengers for the carriage of "letters or packets," from carrying either, "over any post-route, or on any other road or river, from one place to another," between which a "mail is regularly carried" by the United States; and it forbids owners of vehicles from carrying any such messenger and every body from employing him.

Under this Statute, without the slightest shadow of constitutional authority, the *Federal authorities assume to exercise the sole authority to convey "letters and "packets," from one place to another, the country over; and what they will not carry, must remain uncarried, unless in violation of the law and in the face of its heavy penalties.*

Are members of the Press fully alive to the despotism which holds the terrible power of cutting off all communication between them and their subscribers, whenever, by reason of their adverse criticism of "the powers which "be," they shall arouse it to retaliatory action?

\* Preamble to the Amendments of the *Constitution for the United States*.

† *Constitution for the United States*, Amendment I.

Verily, in the words of one of America's ablest and purest prelates, while considering one of the outrages to which I have been subjected by the self-convicted Postmaster at Morrisania, "we are, indeed, working out the democratic theory, very rapidly. Extremes meet, in more senses than one," he continues, "and there was more sympathy between them, when the Russian bear and Brother Jonathan embraced one another, so earnestly, during the War, than most people thought for."

Verily, the duty of the Press, as pickets on

the outposts of American constitutional freedom, has never demanded greater vigilance, nor more unquestionable integrity, nor more deliberate coolness, nor more resolute courage, than at the present time. The world will soon learn whether or not it is equal to the existing emergency.

Very Respectfully,

Your obedient servant,

HENRY B. DAWSON,

Editor, Publisher,

and Proprietor of

THE HISTORICAL MAGAZINE.

—:O:—

**At the date on which this Extra was sent to press---December 29, 1874---the Postmaster General had made no reply whatever to the above letter and taken no apparent notice of the irregularities complained of therein.**

—:O:—

#### TO THE EDITOR:

If any editorial notice of this subject shall be made in your columns, be so kind as to send a copy of them to "The Historical Magazine," Morrisania, New York City

—:O:—



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Numbers omitted are out of print.

2.—*Plain Dealing, or News from New England.* By Thomas Lechford. With an Introduction and Notes by J. Hammond Trumbull. Boston: Wiggins & Lunt, 1867. Small quarto and royal quarto, pp. xl., 211, (less pp. 161 to 200, inclusive, out.)

In June, 1638, a lawyer named Thomas Lechford, a member of Clements Inn, London, came to Boston, and settled there—probably the first of the tribe of legal practitioners in that town.

He was a friend of Prynne, opposed to Episcopacy and the ecclesiastical government of England, and a victim of the Star-Chamber; and he came to Massachusetts Bay, desiring to join the church, to establish himself in business, and to live and die there. He was not of the ultra-Puritanic stock, however, and, therefore, he was regarded "with distrust, almost from the hour of his landing in Boston," as others had been who were not of the Radical school of that day; and the ruling spirits of the period made it very uncomfortable for him, and succeeded, finally, in compelling him to return to that despotic and God-forsaken England, from whose outrages he had sought shelter in Massachusetts, less than four years before.

There was, probably, some reason why Thomas Lechford, who had fled from place to place to escape the persecutions of Laud and his satellites, should prefer to encounter all the risks and hardships which were inevitable in England, rather than enjoy the "freedom," civil and religious, of which Messrs. Pierrepont, Palfrey, and Poole have sung, written, and boasted; and there is no doubt, as he was personally acquainted with both the pains and penalties in Europe, and the "Christian," "republican," "civil and religious freedom" which prevailed at the Bay, that when he preferred Laud to Winthrop, and the Star-Chamber to the General Court, and the loss of his estate and his ears in England to the loss of something more important in Massachusetts, that he knew just what he was doing, and just which would be least burdensome.

Like Anne Hutchinson, he had had a parson for a fellow-passenger; and like that mighty woman, he soon learned that, even in New England, the same spirit which controlled Laud, and transformed an Archbishop into a monster, held its Court, also, in the bosom of every ruling Puritan—only those who possessed no authority, and they only while thus without it, being professors of another creed—and converted Governors and Elders and "Christian fathers" into the veriest demons of persecution and intolerance.

Like Anne, he believed, and bore testimony, and gave reasons, and courted inquiry—he even, unlike her, wrote his opinions in books, and left them to be read by Hugh Peters and John Cotton—like her, he soon found out that the *New England* Puritanic creed was "Obedience, in ALL things, to those in authority"; and that he had

better have endured open tyranny in England than Pharisaical "freedom" in America. As Dudley said to Winthrop, "It is easier stoppinge a breach when it begins than afterwards"; and he was seriously "*dealt with* both in conference and in writing." He was also "kept from all place of preferment in the Commonwealth," and his business was interfered with by those in authority, who desired rather to control all parties litigant, by their *ex parte* advice, than to decide between them, impartially, after evidence and arguments had been presented by counsel learned in the law. "The Court was willing to bestow employment upon him, but they said to him that *they could not do it for fear of of-fending the churches.*" He earned only £47 7s. 3d. during the first two years of his residence, and of this £8 18s. 10d. was not paid—something after the fashion of some Boston men, in our day, with whom we are acquainted.

He was "not of them" in Massachusetts; and, gradually, he became disgusted with the *theory* which he had entertained in England, when he saw the direful abuses which were perpetrated under its protection in America. He returned to the Mother Country, therefore, on the third of August, 1641; wrote the volume before us; "and soon after died."

The *Plain Dealing* was printed, originally, in London, in 1642; and again, under the title of *New England's Advice to Old England*, in 1644. It relates to the Church Government, the public worship, and the Civil Government of the Bay Colony; and contains, also, Lechford's Propositions for recording civil causes, his "Paper of the Church her liberties," another on the Baptism of Indians, a relation of the Ministers and Magistrates and their names, a "State of the Country," and some other papers concerning the early history and condition of the Colony (1638 to 1641). "It is," in the words of its excellent Editor, "a view of New England, more particularly of Massachusetts, taken upon the spot by an intelligent observer, who, though unsympathizing, was not in the main unfriendly; and who, while he certainly did 'naught except 'tenuate,' cannot justly be charged with setting down aught in malice. His mistakes are comparatively unimportant; and the information he gives of the state of the country, civil and religious, from 1638 to 1641, is valuable enough to render his book nearly indispensable to the study of New England institutions."

The particular edition before us is carefully reprinted from the first edition; and it is introduced with an elaborate Biographical and Critical "Introduction," by Hon. J. Hammond Trumbull, of Hartford, who, also, has added numerous Notes, illustrative of the text, throughout the entire volume.



Of Mr. Trumbull's peculiar qualifications as the Editor of this particular work it is enough to say that, in addition to his extensive and accurate knowledge of early New England affairs—in which we consider he is without a rival—he has devoted especial attention to Lechford, in connection with a manuscript copy of that gentleman's *Diary* in New England, which he is preparing for the Press; and he seems to have employed, to some extent, the material contained in that *Diary* to clear up difficult passages, and render more distinct what, before, was not easily reconcilable with other known facts.

The typography, by Rand and Avery, is excellent: and we earnestly hope that the enterprising Publishers will receive that liberal encouragement to which their judicious and well-directed efforts so eminently entitle them.

This volume forms No. IV. of the *Library of New England History*; is dedicated to our friend, George Brinley, Esq., of Hartford—than whom no man is better entitled to the compliment—and is published in two sizes, of the smallest of which two hundred and fifty copies were printed, and thirty-five of the largest.

3.—*Ale: in Prose and Verse*, by Barry Gray and John Savage. New York: 1866. Octavo, pp. (title and verse, unnumbered) 97.

Commerce sometimes "goes on a spree," and cuts queer capers; and the business man, not unrequently, with one eye on his "Profit and Loss" account, seeks an association with Art and Literature. Thus, Warren's Blacking, and Huggins, the New York barber, and Pease's Hoarhound Candy, in their time, were made famous throughout Christendom; and bibliopoles, hungry for rarities in Art and Literature, struggle for the waifs, on those subjects, which have come down to us, and prize them as among the most curious and most valued of their treasures.

We have before us, through the favor of our friend and neighbor, Mr. Savage, the beautiful, unpublished volume referred to at the head of this article—the result of an association of commercial enterprise and filial piety with the pens and pencils of able and willing men. It was evidently printed to perpetuate the honor of the venerable John Taylor, of Albany, whose *Ale* is said to have sparkled, during his lifetime, throughout the length and breadth of the country; while his private worth, as a man and a Christian, endeared him to the Burghers of Albany, and secured for him both municipal and social honors, and the kind remembrance, after his decease, of those whom he had served; although it is also evident that the business interest of the sons of Mr. Taylor, who are, also, his successors in trade, were not lost sight of while it was passing through the Press.

The volume opens with a Prefatory Letter, by the authors, to Joseph B. and William H. Taylor, the sons of John Taylor, relating the circumstances which led to the preparation and issue of the volume: and this is followed with "A Runlet of Ale," in verse, by Barry Gray, in which "Taylor's Ale," of every brand, is duly honored; by "Ale: Antiquarian Historical, and "Literary," by John Savage, in which the history of the beverage is laboriously dissected and exhibited; and by elaborate descriptions of the widely-known Brewery of John Taylor's Sons, at Albany, and their warehouses in Boston and New York. A brief memoir of the founder of the establishment closes the volume.

The entire work is very elaborately illustrated, both with wood-cuts and lithographs, the latter by McNevin, and it is very neatly printed, with rubricated borders to each page, by Russell of New York.

It is proper, in this connection, to note an error, on page 92, in which it is said the New York warehouse of the firm "occupies the site "of the once palatial residence of the late Philip "R. Paulding, formerly Mayor of the city." Had the writer passed that house as often as we have he would hardly have used such an extravagant word as "palatial" in connection with that very plain, substantial, brick house; and, although Philip R. Paulding may have lived in the house, he was never Mayor of New York. The house referred to was the family residence of William Paulding, who was for some years Mayor of the City of New York; and the Messrs. Taylor will undoubtedly be glad to make the correction in their next edition.

Whether considered as a memorial of the founder of the house, or as a literary and artistic curiosity, or as a business card, the volume is worthy of a place among the books of the day.

4.—*Proceedings commemorative of the settlement of Newark, New Jersey, on its two-hundredth anniversary, May 17th, 1866.* Newark: New Jersey Historical Society, 1866. Octavo, pp. 182.

This tract forms a supplement to Volume VI. of the *Proceedings of The New Jersey Historical Society*, and perpetuates one of the public demonstrations of that distinguished body.

The collection opens with a "Historical Memoir" by W. A. Whitehead, whose peculiar abilities in that line are widely known. He treated his audience with a survey of the country, as it was "two hundred years ago," and of the successive steps which led to its settlement. He told, with becoming gravity, of "the civil and "religious privileges cherished" at New Haven, at that period; of the aversion to the Restoration which marked its inhabitants; and of their opposition to the Union with Connecticut. He



described the compact of the first settlers at Newark; and he diligently set forth, in detail, the purity of their devotion to God—in order, we suppose, that his hearers, their successors, might see how far they had fallen from the original Jersey standard.

Doctor Thomas Ward followed with a "Lyric Poem"—whatever that may be—in which the brag of Massachusetts concerning the Fathers was mixed, in copious doses, with the expectations from "our boundless future," which is the besetting sin of New Jersey.

Mr. Kinney followed the Doctor, in an "Oration," in which the New England fathers were most foully misrepresented as "deeply imbued with the love of liberty, having the courage to denounce the civil and religious despotisms of their times, and tearing themselves away from all the endearments of old homes, in a country full of social refinements, to seek a place in these then savage wilds, where they might establish freedom of thought and enjoy the blessings of a free Church in a free State?" "A strict democracy," he said, "existed from the beginning. They appointed their own rulers." "Unconsciousness of self, singleness of purpose, heroic self-reliance, the sense of God and humanity are ever manifest to our consciousness," he thinks, "as we listen to their story; and the test of our own progress will be the appreciation of these virtues."

As an "Oration," by the chosen mouth-piece of a "Historical Society," before the assembled wisdom of a dozen other "Historical Societies," such trash as this could not have tended very much to elevate the New Jersey Historical Society in the estimation of its many visitors; and we fancy we can see, in our mind's eye, his smile when the fearless and untiring historian of New York heard Mr. Kinney tell of the "strict democracy" of primitive New England; and the Secretary of the Pennsylvania Society, a grandson of the stern old Baptist Chaplain of Anthony Wayne, must have listened sceptically, as he heard of the "denunciations of the civil and religious despotism of their times," by the relentless persecutors of Anne Hutchinson, and Roger Williams, and Mary Dyer.

Doctor Samuel H. Congar, at the expense of great labor, has added a series of "Genealogical Notices of the first settlers of Newark," for which every student should be doubly grateful; and a variety of "Notes" and an "Appendix," complete the work.

It is well that such affairs as this are permitted to see the light, occasionally, in order that those who follow us may more correctly note the progress of Historical truths and the resistance which they encounter among those who assume to be the best informed. It is well,

also, because it enables the world to judge of the grade of intelligence to which New Jersey laid claim in 1866; and the exact character, as lovers of the Truth, which belonged to an association, some of whose officers, unrebuked, have been permitted to do, over its own imprint and in its name, what would have wholly discredited any other association, on any other subject, in any part of the world, except New Jersey.

5.—*The Market Assistant*, containing a brief description of every article of human food sold in the public markets of the cities of New York, Boston, Philadelphia, and Brooklyn; including the various Domestic and Wild Animals, Poultry, Game, Fish, Vegetables, Fruits, &c., &c., with many curious incidents and anecdotes. By Thomas F. De Voe. Printed at the Riverside Press for the Author, 1867. Octavo, pp. 455.

The title will convey to the reader, as thoroughly as we can, the exact character of the contents of this useful work. Meats of domestic animals—beef, veal, mutton, etc.—and the different parts of each animal which are used; meats of wild animals—buffalo, venison, elk, moose, hares, etc.; poultry—capons, chickens, turkeys, etc.; wild fowl—swan, wild goose, canvas-back duck, etc.; fish; shell-fish; vegetables—plants, pot-herbs, medicinal, etc.; fruits; dairy and household products; a chapter on cooks and cookery; another on "Economy in the use of meats and hung meats"; a third on "Bleeding animals," and ten elaborate Indices—yes, TEN of them—are the subjects of which it is composed; and anecdotes and incidents, directions for cooking and for preparing raw articles for use, are scattered throughout its pages.

Our readers need not be told that the untiring author of *The Market Book*—"the historical butcher" of Jefferson Market, New York—has done well in this, his own professional department, since he was so entirely successful in the other, in which he was only an amateur. He has apparently left nothing undone which he should have done, even to the extent of illustrating, with his own hand, the "Cuts" of meat which he offers, daily, for sale on his stall; and he will be thanked by thousands, we hope, for the service which he has undoubtedly rendered to them.

The copy before us is one of an edition of a hundred copies which the author had printed for private circulation; but it has since been published and is sold by Hurd & Houghton, New York.

6.—*President Reed of Pennsylvania*. A reply to Mr. George Bancroft and others. February, A.D. 1867. Philadelphia: Howard Challer. Octavo, pp. 134.

We have received from the author, Hon. William B. Reed, a copy of this work, which he has prepared for the vindication of the character of

his grandfather, from the assaults of the greater number of those who have written concerning him, and from the bad opinion of many more who never wielded an Historian's or an Editor's pen.

Colonel Joseph Reed, subsequently President Reed of Pennsylvania, was during his short life an active politician; and, like most others of that class, he was well hated by those active partisans who were opposed to him, and often talked about—although not always truly—as is also generally the case when a falsehood will better serve the opposite party.

He was engaged, during his life, in a public controversy with General John Cadwalader, which originated in a series of queries, published in *The Independent Gazetteer*, the organ of the anti-constitutional party of Pennsylvania, in September, 1782, and served to convey the idea that Adjutant-general Reed, in December, 1776, had considered that "our affairs looked very 'desperate'; that 'he ought to take care' of his family; that he had advised his brother to accept the 'protection' of the enemy; and that, in other ways, he had showed evidence of disaffection to the American cause.

This article, probably written by Dr. Rush, quickly involved Colonel Reed in a quarrel with General Cadwalader, who was then supposed to have been its author; and that quarrel produced, FIRST, a pamphlet from Colonel Reed, and, SECOND, a reply, also in pamphlet form, by General Cadwalader—the well-known "Reed and Cadwalader" tracts which are known to every student of the history of that period.

Mr. Reed, in the volume before us, commences his work of vindication at this place, by introducing several letters from General Greene respecting this pamphlet war, showing that that great and good man, with whom President Reed was on the most intimate terms, fully and openly adhered to the latter and defended him against his partisan accusers. He also, very properly, alludes to the personal confidence which President Reed retained, unimpaired, until his death, of John Adams, John Jay, Henry Laurens, Vice-President Bryan, Jonathan D. Sargent, Jared Ingersoll, William Bradford, etc., and to the action of the Assembly of Pennsylvania, in 1784, when he was placed at the head of the Pennsylvania commission to conduct "the 'Wyoming controversy' against the land-hawks of New England.

Having thus described the standing of President Reed among his contemporaries, and inferentially, at least, discredited the testimony of his adversaries by the counter-testimony of their neighbors and friends—for no one will credit the idea that General Greene, President Dickinson, William Bradford, Vice-President

Bryan, or Jared Ingersoll would respect while living, or honor when dead, any one who was a traitor or even an ordinary scoundrel—Mr. Reed proceeds to analyse the Cadwalader pamphlet of 1783, and to ascertain how much or how little reliance can be placed on the testimony adduced by its author to support the two charges which he made therein against President Reed—FIRST: That, in December, 1776, in extreme despondency, he had thought of making his peace with the enemy; and, SECOND: That, with that view, he had opened a correspondence with Count Donop, at that time the Hessian Commander of the enemy's outposts in New Jersey.

Concerning the first of these accusations, Mr. Reed produces a counter certificate of Colonel John Bayard, Chairman of the Committee of Inspection in Philadelphia, flatly contradicting the testimony against President Reed which had been attributed to him by General Cadwalader; and he next boldly meets the main issue, by admitting that his grandfather may have been despondent as to the prospect of the Americans, between the fall of Fort Washington and the capture of the Hessians at Trenton, just as Washington "desponded" on the eighteenth of December, and just as Greene also "desponded," about the same time; and he as boldly maintains that, if he did so, it was done with no more desire or intention on his part, than it was done on theirs, either to desert to the enemy or to abandon the cause. He next dissects the testimony of both General Cadwalader and Doctor Rush; and he produces a letter of the former, dated the twenty-seventh of December, 1776, which proves exactly the opposite of his averments made in his pamphlet, printed about seven years after; and, immediately after, he produces another letter of Cadwalader's to General Washington, dated the twenty-fifth of December, 1776, which positively confirms President Reed's averment on another point and as flatly contradicts the writer's own positive denial of Reed's correctness therein. The celebrated letter of the twenty-second of December, 1776, from Reed to Washington, is also reproduced effectively, in this connection; and two letters from Cadwalader to Reed, in November and December, 1777, introduced by Mr. Reed, proves that Cadwalader was insensible of any criminal conduct on the part of Reed, prior to that period—a year after his alleged disaffection in the Jerseys—and that the whole charge was an after thought, called into being by the party strife of the day, in 1782, and was merely "'a good enough Morgan' until after the 'election.'"

Mr. Reed also re-produces the affidavit of Bowes Reed, and the certificate of Colonel John Cox, who were said to have been accessories in his grandfather's alleged disaffection; and he



shows from them that Cadwalader's statements, so far as they were concerned or had knowledge, had no foundation in fact. He also dissects the testimony as well as the character, both private and political, of Doctor Rush, much to the Doctor's disadvantage; and we must say that, although the Doctor was a signer of the Declaration of Independence, we have learned from other authorities, independent of those used by Mr. Reed, to consider that he richly deserved more punishment than he has yet received from any one.

The result of this portion of Mr. Reed's vindication is, that although he admits that his grandfather may have "desponded" during the dark days of November and December, 1776, he denies that that "despondency" was either "dangerous" to the country or tended to personal or professional disaffection—as the like "despondency" of Washington, and Greene, and Morris, and thousands of others, freely expressed, was also loyal to the country and wholly consistent with their patriotism and their official fidelity. The possibility of an opposite character is successfully combated; and the circumstantial evidence which was adduced by General Cadwalader to sustain such a theory is shown to have possessed no value; while the evidence in chief, of the General—who was Mr. Reed's principal accuser—is shown to have been worthless by his own letters, written at the period of the alleged disaffection, and by the flat contradictions of those on whom he claimed to have relied, when he made his charges.

Mr. Reed then proceeded to notice the second branch of General Cadwalader's accusation—the alleged correspondence between Adjutant-general Reed and Count Donop, for the purpose of promoting his desertion to the enemy.

It is said that this accusation did not originate with General Cadwalader, in 1783, but in 1780, with Mr. Robert Lenox or his brother, Mr. David Lenox, of Philadelphia; although it is admitted that it was entertained by Count Donop, in 1776, *only as a rumor*, and was first *publicly insinuated* by Benedict Arnold, in 1780.

To counteract the effect of Mr. David Lenox's accusations—which were first published in behalf of the political opponents of President Reed, at a period of great excitement—Mr. Reed states that Mr. Robert Lenox "never testified directly" against the President; and he seems to doubt if Mr. Lenox had ever referred at all to the subject, as stated by his brother, David; that, six months after the story was first published in Philadelphia, by Mr. Lenox, the President and Council were vested by the Assembly of the State with almost dictatorial power, and the former was elected, *the third time*, President of the Executive Council of Pennsylvania—a transac-

tion which may well be considered as an approval of President Reed's character and conduct by those among whom he had lived and labored, and unto whom, if he was really as bad as was represented, his badness could not have been wholly unknown or, if known, wholly unpunished—"the body of the people," in his own words, evidently "continued to be his friends" "because they believed that he was, as he truly "was, theirs."

Concerning the charge itself, Mr. Reed produces the evidence of Judge Daniel Ellis, of the Burlington, N. J., Common Pleas, who carried Adjutant-general Reed's letter to the Hessian Head-quarters, to show what the real character of that Correspondence was. It is dated "the twenty-third day of October, 1783," and is very clear. He also produces the *Diary of Margaret Morris*—one of the authorities relied on by the other side—to indicate what was thought of this Correspondence, at the time it occurred, by the inhabitants of Burlington, for whose benefit and protection it was carried on. He alludes, also, to the reply of Count Donop, which was received and answered by his principal accuser, Colonel Cadwalader; and he copies that answer, from an original by Colonel Cadwalader, in order to show just what was *personally known, at the time*, concerning this correspondence, to that accuser. He appeals, also, to the pages of History, both European and American, and notes the entire silence concerning the subject, of Gordon and Stedman, Graydon and Ramsay, Marshall and Adams, Sparks and Irving, Lord Mahon and Joseph Galloway, the Loyalists of 1779 and the American Minister to London, in 1848; and he claims, for that reason, that the charge is, at best, of doubtful character. He refers to, and quotes from, a most emphatic note on the subject, written in 1864, by that intelligent and well-known historian, Doctor Jared Sparks, which we shall refer to hereafter.

He then examines, in detail, the evidence on this subject of Mr. Bancroft; and whatever may have been that gentleman's standing before for accuracy of statement and fidelity in the use of his material, it is not now, in this instance at least, such as should gratify his friends. We need not refer to our own knowledge of Mr. Bancroft's improper liberties with his authorities, either to promote his partisan purposes or to round his sentences, nor to that of Messrs. Greene and Amory, whose observations are before the world; but such as we are, poor and comparatively unknown to the great body of readers throughout the world, we would not exchange positions with him, to-day, preferring rather to enjoy, as we do enjoy, the consciousness that when our labors shall have ended, we shall be carried to Sleepy Hollow by those who



will have known us best, leaving behind us no such dirty record as this, to bear testimony against us, and no such shame as his, to be recorded or talked of by those who shall come after us.

Mr. Reed thus disposes of Mr. Bancroft; and our readers will be enabled from this extract to judge at once of the character of this work and of that of the historian whom it portrays:

"There are no 'Historic Doubts' about Mr. Reed's worst apparent enemy, Benedict Arnold.

"I am wrong in speaking of Arnold, as Mr. Reed's last accuser, for, on this point, Mr. George Bancroft, at the end of more than half a century, has taken up the thread of calumny—

"He finds it in the dark archives of Hesse Cassel. "Mr. Bancroft ostentatiously adduces, as proof of Mr. Reed's infidelity, a mutilated extract from what, he describes, as a 'Diary' of Count Donop, the Hessian commander of the advanced posts in New Jersey in December, 1776. He prints it, in the original, in a note to page 229 of his Ninth Volume. He gives no translation (as I shall) possibly because he was conscious that, in plain English, it amounted to nothing at all. There is always an ominous mystery in a foreign language which Mr. Bancroft does not hesitate to avail himself of.

"Before I notice this subject in detail, let me allude to the view taken of such 'historical' evidence, by one Mr. Bancroft will hardly venture to discredit, and whom, rather ostentatiously, in his Preface, he describes as his 'friend' the late Jared Sparks. I have some doubts as to the extent of this friendship, but let that pass.

"In 1864, Mr. Sparks, always alive to such matters, wrote to me:

"I am told that Mr. Bancroft has procured a copy of Donop's Journal. I should put no confidence in Donop's impressions or inferences unless sustained by the positive testimony of some written communication from General Reed. This is not likely to be produced. Donop might imagine motives which had no foundation in reality.

"I will now show that even Donop did not imagine anything of the kind.

"Mr. Bancroft thus introduces the Diary, which is to prove so much: 'Diary kept in Donop's command, written by himself or one of his aids. The narration is very minute and exact,' (page 217.) Again he says, (page 229,) 'The Donop Diary, which is remarkably precise, full and accurate, alludes to Colonel Reed as having actually obtained a protection. This statement though made incidentally is positive and unqualified.' Then follows the Hessian extract.

"The reader will be surprised to learn, and to see, for I shall quote the very words in English, and Mr. Bancroft will not impugn the accuracy of the translation, that Count Donop, admitting the Diary to be his, made no such statement; but in fact alludes to the story as 'gossip at his Head-Quarters which he did not listen to,' and records it in connection with other matters, which we know, are utterly without foundation in truth.

"I cite every word in the Donop Diary relating, directly or indirectly, to Mr. Reed. There are four entries of the kind.

"On the 20th December, the Diary says:

"December 20th.—Colonel Von Donop to-day received by a flag of truce from the Rebel Colonel Reed, Adjutant General of Washington, a letter in which he, by authority of General Washington, proposed to have on the following day an interview with Colonel Donop on account of Burlington, as this place in the present situation was much exposed to both sides. It was left to Colonel Donop to determine time and place for such an interview. He answered immediately that his present situation did not permit him to leave his post. At the same time the letter of Colonel Reed was communicated, in which he proposed an interview about Burlington, and the answer given thereto; it was not to be presumed that the rebels would try to hold Mount Holly and declare Burlington a neutral place, because from the small island near Bristol they could bombard Burlington with six pounders, while Mount Holly could be taken any time, if it was our pleasure to do so.

"December 25th.—To day a flag of truce was sent by Colonel Donop to Burlington offering to Colonel Reed the interview asked for as to that town, but an answer from Colonel Cadwalader that Reed was not there and was not expected to return before the next morning, he therefore would ask him to appoint another time and place for the interview.

"All this is the record of what actually did take place, with the addition that it was done by the authority of General Washington. I now come to the intermediate entry which I give, *verbatim*, and in English, and which Mr. Bancroft has the assurance to say is 'precise,' 'full,' 'accurate,' 'positive' and 'unqualified.'

"December 21st.—Colonel Donop reported to General Grant that, notwithstanding it had been his intention to attack ("pay a visit to") General Putnam, he had desisted from such an enterprise after meeting Colonel Blork and Lieutenant Colonel Sterling at Mount Holly, and had received trustworthy information that the enemy had no more magazines there side the Delaware. It would not therefore be

"worth while to fatigue the troops who were 'already worn out and ragged. Moreover, it 'would be impossible for the troops to reach 'Cooper's Creek otherwise than by a circuitous 'route and muddy roads, for the bridges had 'all been destroyed. As his line was already 'extended from Bordentown to Black Horse, 'fourteen miles, he did not think it advisable to 'extend it further, and the less so because Rhall's 'Brigade was almost daily alarmed on both 'flanks.'

"So far what he says is pretty near the truth. 'Now for the camp gossip which Donop was unwilling to listen to, and I beg the reader to observe that the portion in *italics* which shows 'that it was discredited hearsay, is carefully suppressed by Mr. Bancroft!

"*The reports about the enemy were so confused 'that he would not listen any more to them. 'Nevertheless, he would report that it was reported to him that during his stay at Mount 'Holly on the 19th inst. 1000 men, via Haddonfield and 700 via Moorestown, had been marching against Mount Holly for the purpose of attacking the two battalions at the Black Horse, '(that) General Mifflin had advanced with one 'corps on the route leading to Moorestown to the bridge three miles from Mount Holly, but had 'done nothing except to destroy the bridge entirely; (that) the Colonel Reed having received 'a protection, had come to meet General Mifflin 'and had declared that he did not intend any 'longer to serve; whereupon Mifflin is said to 'have treated him very harshly and even to 'have called him a damned rascal.'*

"It is not surprising that Mr. Bancroft shrank 'from putting this trash in English, for it is 'very certain, and he knows it well, that it is a 'perfect cluster of false reports. On the 19th, '20th and 21st December, no force had advanced 'or was advancing *via* Haddonfield or from any 'other direction. Neither Mifflin, nor Putnam, 'nor any one had crossed the river, nor ever did 'cross the river till this chapter of adventure 'was closed. Count Donop treated these stories 'as idle tales which, while he or his aid noted, 'he did not listen to or believe. And yet, the 'American 'Historian of the Revolution,' picks 'out the one vague slander on his own countryman, and prints it as truth, suppressing the context which describes it as mere rumor, and 'a discredited rumor too! It would be a departure from the tone which should characterize historical discussion were I to describe in fitting terms my sense of this literary enormity."

The author then turns to the record of his grandfather's life; and he gives a carefully prepared narrative of the transactions in which Colonel Reed participated in December, 1776; and the Vindication closes with an examination of

the two charges that Colonel Reed stimulated local prejudices among the troops, and that his friendly relations with the Commander-in-Chief were interrupted in consequence of the now celebrated "Lee letter."

We have not room to copy this portion of the work, nor is it necessary, since the most prominent among those whom the author censures is John C. Hamilton, for whom no one, now-a-days, entertains the least respect, either as an author or a man.

A short series of letters, commendatory of the author's *Life of Joseph Reed*, closes the volume; and the author leaves, once more, the reputation of his grandfather to the judgment of the world.

We have read this effort of Mr. Reed, whose personal friendship we have enjoyed for several years, with entire satisfaction. It is thorough, earnest, and merciless—as it should be—yet its author has nowhere lost his temper or forgotten his first duty, as a Historian. There seems to have been no desire to conceal anything; and, unlike his former practice, he has not shrank from the truth because of the hazard of hurting some one's feelings by telling it—we only regret that a similar fearlessness did not previously control his pen, which would have probably rendered unnecessary this latter-day labor.

7.—*Statistics of Population of the City and County of New York as shown by the State Census of 1865*, with the comparative results of this and previous enumerations and other statistics, given by the State and Federal Census, from the earliest period. Prepared at the request of the Committee on Annual Taxes of the Board of Supervisors, by Franklin B. Hough. New York: 1866. Octavo, pp. 316.

The ample title-page describes the contents of this volume—how truly those contents tell the stories attributed to them is another question.

We have, in brief, the different Census returns from that of 1693, when the Colony contained only 18,067 and the city 4,937 souls, through those of 1703, 1712, 1723, 1731, 1737, 1746, 1749, 1756, 1771, 1786, the Electoral Censuses of 1790, 1795, 1801, 1807, 1814, and 1821, the Federal Censuses of 1790, 1800, 1810, 1820, 1830, 1840, 1850, and 1860, the City Censuses of 1805 and 1816, and the State Censuses of 1825, 1835, 1845 and 1855, to that of 1865, when the State is said by Doctor Hough to have contained 3,827,818 and the city 726,386 souls, of whom 2,598,981 in the State and 364,667 in the City were native New Yorkers, 166,038 in the State and 17,856 in the city were native New Englanders,—the latter mixed up, in the city, with 2,643 Canadians, 19,699 Englishmen, 107,269 Germans, 161,334 Irish, 6,617 Scotch, 1,735 Prussians, 1,285 Poles, 5,805 French, and 9,943 negroes.

There were also, in the city, *if the Doctor can be believed*, only 1,089 Bar-tenders, 1,018 Boarding-houses, including Brothels, 429 Clergymen, without a single Politician, or Prostitute, or Gen-



tleman, or Missionary, or Professional Gambler, or unprofessional Loafer. Who shall say, in view of these figures, that New York is very wicked, since there were also 1,546 Policemen to keep order in that universally employed and remarkably virtuous community.

The Doctor tells us, also, that there were only 733 rum-shops—"Wine and liquor dealers" are his words—in this State, outside of the city of New York; that there were, in 1865, only *seven* Bookbinders, in New York city, with an aggregate capital of \$66,900, and producing a manufactured total of \$210,000; only *eleven* Printing offices of *all kinds*, with an aggregate capital of \$799,200 and producing \$113,500 of manufactured goods—a profitable investment truly—while of Newspaper offices there are none noted and of Photographers only *six*!!! Only *one* man, in the city of New York, *the Doctor says*, got as low wages as twelve dollars per month; only seven hundred and four received a hundred per month—not one enjoyed a higher rate of wages!!! Who'd believe it, if the Doctor had not told it?

Truly, Doctor Hough is a wonderful man. He has tumbled over a dozen printing offices and knows where are a dozen more, yet he writes down *eleven* as the total. What a pity it is that he did not employ the same acuteness in making discoveries, while compiling this volume, which he employed while "cooking" his last dish for the Bradford Club, referred to in our last number. We certainly should have heard, in that case, of more printing offices and binderies in New York than he has now reported; possibly he might have heard, also, of a few Ale-houses and an occasional Enumerator.

8.—*An Address delivered before the New England Historic Genealogical Society, January 2, 1867.* By John A. Andrews, LL.D., President of the Society. Boston, 1867. Octavo, pp. 12.

In this brief Address, Governor Andrews discussed, with great ability, the importance and attractions of History and its effects on both the Present and the Future; and we are the more gratified with it because he has placed himself on the record as a friend of Truth, a Dissenter from the theories of *The Evening Transcript* and the practises of Messrs. Felt and Palfrey, Gray and Sumner, John C. Hamilton and their kind.

"For the sake of History itself," are the golden words which he employs, "let us deal *honestly* and *fearlessly* with the record our *predecessors* have left behind them. For the sake of "every science needful for the development of "human society or emancipation from avoidable "error and pain; and for their own sakes too—"who, now removed from the distractions of this "world's allurements, must desire, more than all "things, the universality of Justice and Truth—"let us explore the lives and actions of men, and

"their generations, with pious carefulness, but "with impartial fidelity and independence."

Coming from Boston, from the lips of one of whom even *The Transcript* dare not whisper a syllable except of praise, we had reason to rejoice when we read these words—we would that they could be printed in letters of gold and placed over every mantelpiece in New England, then would we hear no more of such clap-trap as that employed by the Press of Boston, concerning the "denationalizing tendencies" of stripping the borrowed finery from the jack-daws of bygone days.

We congratulate the speaker and bid him God speed in his glorious work of rescuing the Truth of History from the grasp of those who would strangle it—a duty which is as far above any other which he has ever undertaken as his integrity appears to be above that of "the Brahmins" by whom he is too closely surrounded.

9.—*A Memorial of the Rev. Thomas Mather Smith, D.D., late Milnor Professor of Systematic Divinity in the Theological Seminary of the Diocese of Ohio, and sometime President of Kenyon College.* By W. S. P. Privately printed, 1866. Octavo, pp. (2) 68.

Doctor Smith was born at Stamford, Connecticut, on the seventh of March, 1796. He was the son of the Rev. Daniel Smith; the nephew of Governor John Cotton Smith; son-in-law of Rev. Leonard Woods, D.D., of Andover; father-in-law of Rev. William Perry Stevens, of Litchfield, Conn.; and father of the learned Rector of the Church of the Ascension, in New York. He graduated at Yale, in 1816, and at Andover, in 1820; was Dr. Wisner's assistant, in "the "Old South," in Boston; and in 1822, became Pastor of the church at Portland, Maine. A few years after he was called to the pastorate of the church at Fall River, Mass.; in 1831, to that at Catskill, N. Y.; and in 1839, to that at New Bedford, Mass. In 1842, he became a convert to the Episcopalian faith, and, very soon after, he was called to the Chair of Divinity, at Gambier, Ohio, where he remained until 1863. He died on the sixth of September, 1864, at Portland, Maine.

He appears to have possessed, to an unusual extent, the respect of his contemporaries of all denominations, and to have been, what was said of him by his brother-in-law, President Woods, of Bowdoin College, "a faithful minister, an upright and blameless Christian gentleman, and "an accomplished Christian scholar."

This handsome memorial volume was printed at the Riverside Press, for private distribution; the edition numbering two hundred and fifty copies.

10.—*A Sermon preached in St. Michael's Church, Litchfield, Conn., on the day of National Thanksgiving, Thursday, November 26, 1866.* By Rev. William Stevens Perry, A.M. Philadelphia: 1866. Small quarto pp. 9.

This little tract, of which an edition of fifty copies only was printed, for private distribution,



as the work of one of the most zealous historical students of the day—the learned Clerk of the House of Lay Delegates of the General Convention of the United States—and it indicates some of the grounds for thankfulness, in the past of our country, as well as in the prospect of its future.

Especially thankful should churchmen be, if Mr. Perry is correct, since the great leading minds of the country, in the era of the Revolution, were Episcopalians; and Washington and Henry, Franklin and Laurens, Marshall and the Pinckneys, Jay and Hamilton, Rutledge and Morris, Lee and Stirling, are named as members of that denomination, in support of that very unpopular opinion.

There is room for doubt, we think, that all that has been claimed for it belongs to that denomination; yet it is a matter of very little importance, since the work was done by somebody—it is vastly more important that the work then finished has withstood the storm so poorly, since its completion. Poor human nature is the same, however, whether Episcopalian or Congregationalist; and its works are alike perishable.

11.—*A Quarter century Review*: being the twenty-fifth annual report of the Ministry at Large, in the City of Providence, presented and read at a public meeting held in the First Congregational Church, Sunday evening, January 20, 1867, by Edwin M. Stone. Providence: 1867. Octavo, pp. 51.

Whatever interests Providence interests us; and, although we have never spent thirty minutes within its boundaries, and have no connections living there, the place where "Soul freedom" was first recognized by "the major will" of a Commonwealth, will continue to be "sacred soil," in our eyes, no matter who now walks on it.

It seems that, in 1841, a religious enterprise was set on foot there, the object of which was entirely local. It provided for a Home Missionary, whose duty it should be to seek and, as far as man could do so, to save that which was lost in the streets and by-ways, and obscure corners, of Providence; although the members of only one denomination, if we understand it aright, united in its support.

This is evidently intended as a record of that Mission, that "Ministry at Large," that Pastor with a city for his parish, during the past twenty-five years; yet, although we have found very much in it to interest, as well as to instruct us, we have gone over it carefully without finding the smallest summary of the receipts and disbursements, and of the grand results of the enterprise, during the period of its operations.

There is one subject, however, which we do find there; and that is the careful contrast of the Providence of 1867 with that of 1842; and the collectors of local histories will do well to secure copies of it. We condense the surveys thus:

In 1842, the population was not far from 24,

000, nearly equally divided between the two banks of the river. In 1867, it is about 56,000, of whom 18,430 are Irish, 5,463 other foreigners, and about 32,000 Americans—the influx of the foreign-born having ceased ten years ago.

In 1842, there were 3,000 dwellings; now there are 6,800. The assessed value of property has advanced from \$18,918,919, in 1842, to \$83,448,800, in 1867; the rate of taxation from 37-100ths of one per cent, in the former year, to 94-100ths, in the latter; and the productive industry from \$3,280,247, in 1842, to \$30,628,177—the latter the fruits of labor of divers engines and machines, and 12,272 individuals, employed in three hundred and ninety-seven kinds of business.

In 1842, there were twenty Banks in Providence—one for every twelve hundred souls, big and little; now there are thirty-six—one for every fifteen hundred and fifty. In 1842, there was one Savings Bank, now there are seven, with deposits amounting to \$11,009,623.86, belonging to 31,220 persons—more than one half the population, old and young, foreign and native. In 1842, there were four Insurance Companies; in 1867, twenty, covering risks amounting to \$127,966,960.96.

In 1842, there were thirty-nine places for public worship, in Providence; now there are fifty-seven—one for every thousand of its population. In 1842, there was no railroad running into the city; now there are six, freighting, last year, 1,002,791 tons of merchandise and 4,554,434 passengers; while one of its local railways conveyed, in 1866, 829,476 passengers, and another, 3,249,703.

There is not one Pastor now in the city who was a pastor there in 1842; lawyers have been almost as closely extinguished; of the physicians practising in 1842, forty-eight in number, only thirteen remain, although there are now a hundred and seventeen in the city, including five females. In 1842, there were 3,498 pupils in the Public schools, costing \$16,649; in 1866, there were 7,352, exclusive of nine hundred in the Roman Catholic schools, costing nearly a hundred thousand dollars.

## 2.—BOOKS RECEIVED.

We have received the following and shall notice them hereafter:

1.—From JOEL MUNSELL, Albany. *The Siege of Savannah*, 1779. Edited by Doctor F. B. Hough. — *The Siege of Charleston*, 1780. Edited by Doctor F. B. Hough.

—*The Byrd Manuscripts, Westover, Va.*, 1728. Edited by Doctor T. H. Wynne, of Richmond.

2.—From Doctor D. WILLIAMS PATTERSON, Newark Valley, N. Y. *The Memorables of the Montgomeries*. Privately printed.

3.—From the LONG ISLAND HISTORICAL SOCIETY, Brooklyn, N. Y. *Journal of a Voyage to New York in 1679-80.* Edited by Hon. H. C. Murphy.

4.—From LITTLE, BROWN & Co., Boston. *The Works of the Right Honorable Edmund Burke*, Vol. XI.

5.—From CHARLES SCRIBNER & Co., New York City. *Studies in English.* By M. Schell de Vere, LL.D.

—*History of England.* By James Anthony Froude, Vols. IX. and X.

—*The Literary Life of James K. Paulding.* Compiled by his son, Wm. J. Paulding.

6.—From LEE & SHEPARD, Boston. *The Soldier's Story of his Captivity at Andersonville, Belle Isle, and other Rebel Prisons.* By Warren Lee Goss.

7.—From the WISCONSIN HISTORICAL SOCIETY, Madison. *History of a People as illustrated by their Monuments.* By Hon. Anthony Van Wyck.

8.—From the IOWA HISTORICAL SOCIETY, Iowa City. *Annals of Iowa.* January, 1867.

9.—From the AUTHORS. *History of Easthampton.* By Payson W. Lyman, of Amherst, Mass.

—*Sawin: Summary Notes concerning John Sawin, and his posterity.* By Thomas E. Sawin.

—*Life and Letters of John Winthrop.* By Hon. Robert C. Winthrop.

### 3.—BOOKS IN PREPARATION.

—GENERAL ROBERT E. LEE is engaged in preparing for the Press a new edition of his father's *Memoirs*—the well-known historical work of the hero of Powles Hook.

—LEE & SHEPARD, of Boston, have in Press a history of the Ninth Regiment, Massachusetts Volunteers. It was written on the field, from official data and personal knowledge, by Captain Macnamaragh; and it has been pronounced by those who have read it in manuscript as a "mirror of the marches, bivouacks, and campaigns" of the Irish Ninth.

—THOMAS W. FIELD, Esq., is busily engaged on his narrative of the military operations on Long Island, in the summer of 1776, which will form the second volume of the *Memoirs of the Long Island Historical Society*.

—THE CATSKILL MOUNTAINS.—Rev. Charles Rockwell, author of *Life at Sea*, &c., who has resided for several years in the region of the Catskills, has been engaged upon a new work, *A Guide Book and History of the Catskill Mountains*. It will contain a variety of sketches, historical and descriptive, of Greene, Ulster and Schoharie counties, and Mr. Rockwell is well fitted for the task. The volume, besides being indispensable to the thousands of visitors to the mountains, will be interesting to all classes of readers.

### 4.—NOTES.

—LEE & SHEPARD, of Boston, issue, weekly, a child's paper entitled *Oliver Optic's Magazine for Our Boys and Girls*, which, we think, is the best of the class for children. There is nothing in it which "our Boys and Girls" cannot fully comprehend, without explanation; the weekly issue keeps a fresh supply continually on hand; and the illustrations are appropriate and well executed. It is a weekly, selling for five cents, or Two Dollars per annum.

—RUMORS among book-fanciers, which we hear in several directions, indicate the publication of what we have had knowledge for some time past, that one of the most widely-known and as widely-honored members of THE BRADFORD CLUB has been "dropped" by his fellow-members.

It is not a matter which particularly interests us; but we feel it to be our duty, as a gatherer of such trifles, to notice it as we pass.

—THE CONGREGATIONALIST.—There is a paper (weekly) bearing this title; the organ, we are told, of Orthodox Congregationalism; and published at Boston, in New England.

We have never seen more than two numbers of this paper, and these had well-filled columns of neatly-printed matter; but the pleasure we should have otherwise taken in the perusal of them was marred by the anti-Christian, if not anti-Orthodox, tone which pervaded them.

The Editor's ignorance of the character of THE HISTORICAL MAGAZINE and of the conduct of its Editor betrays his weakness as well as his indolence; and it is not only in bad taste, but it is something worse, in an Orthodox Congregationalist, to bear false witness against his neighbor, even if that neighbor is not of his way of thinking, nor a resident of Boston. Now that the war is over and falsehood no longer a "necessity," one would suppose that even an Orthodox Christian in Boston might read his Bible and practise its precepts; and it certainly becomes *The Congregationalist*, if it is what it professes to be, either to understand the subjects of which it treats sufficiently to speak truly of them or, else, to remain silent.

THE HISTORICAL MAGAZINE is "anti-North" and "anti-Massachusetts" no further than the "North" and "Massachusetts" are antagonistic to the Truth, and common honesty, and genuine Orthodox Congregationalism—the latter of which is pure Republicanism—and its Editor hopes that *The Congregationalist* will teach itself and its neighbors, FIRST, how to KNOW the Truth, and, SECOND, how to TELL it, before it shall again undertake to instruct him what is and what is not "LEGITIMATE historical matter" or what is and what is not HIS duty, as the conductor of a public Press.



# THE HISTORICAL MAGAZINE.

Vol. I. SECOND SERIES.]

MAY, 1887.

[No. 5.]

## I.—THE FEDERALIST, NO. LXIII.

THE ORIGINAL DRAFT, BY MR. JAY.

*From the original manuscript, found among "the family papers of Chief-Justice Jay," furnished by his grandson, John Jay, Esq., of the Jay Homestead, to the Editor of The Federalist, Edit. Morrisania, 1864; and subsequently presented to the New York Historical Society.*

[This paper will interest our readers, because FIRST: It will illustrate how little foundation, in fact, there was for General Alexander Hamilton's pretensions, in his own copy of the work and in the Benson Manuscript, that he was the author of this paper.

SECOND: It will serve to illustrate how little reason, in fact, Mr. John C. Hamilton's publisher had, when, in the Prospectus of *The Federalist*, "edited by John C. Hamilton," he said, "A preliminary Essay will leave little doubt as to the title of 'Hamilton to the Essays designated by HIMSELF as his own,' by the hand of the Editor of this edition, under the immediate personal direction of his father."—*American Literary Gazette and Publishers' Circular*, December 15, 1863.

THIRD: It will serve to illustrate the entire correctness of Henry B. Dawson, the Editor of *The Federalist*, when, in his published *Prospectus* for the Morrisania edition of that work, he said, "In the preparation of this edition of *The Federalist* 'the subscriber has been favored with copies of the family papers relative thereto of General Hamilton and Chief-Justice Jay,' and the entire incorrectness of Mr. John Jay, of the Jay Homestead, in his published letter to Mr. Henry B. Dawson, dated February 14th, 1864, when he asked, while controverting the above, "What family papers of Jay or of Hamilton, touching *The Federalist*, had you when you wrote the 'Prospectus, or have you now? I GAVE YOU NONE SUCH, FOR THE REASON THAT I HAD NONE TO GIVE."

FOURTH: It will serve to illustrate the views of the elder John Jay concerning some features of the Republic and some of the provisions of its Constitution; while it will serve, also, to illustrate how far the present generation have wandered from the paths of the Fathers, and how much confidence can be safely reposed in its teachings.—ED. HIST. MAG.]

It is unhappily the law both with Respect to Measures and to Persons that their opponents seldom confine their Censures to such things only as are worthy of Blame—unless on this Principle it is difficult to account for the Conduct of those who condemn the proposed Constitution in the aggregate, and treat with Severity some of the most unexceptionable articles in it—

The 2 Sec. gives Power to the President "by and with y<sup>e</sup> Advice and consent of the Senate to make Treaties provided two thirds of the Senators present concur—

The power of making Treaties is unquestionable.  
HIST. MAG., VOL. I. 17

bly a very important one, especially as it relates to War Peace & commerce, and should not be delegated,\* without such precautions [*in the mode of constituting them,*†] as that the Nation may have the highest Security w<sup>h</sup> the Nature of the Case will admit of; that it will be exercised by men the best qualified for the purpose, and in the Manner most conducive to the public good— The framers of the constitution appear to have been [particularly]‡ attentive to both these Points. They have directed the President to be chosen by select bodies of Electors to be convened for that express purpose, and have referred the appointment of Senators to the State Legislatures.

This mode has, in such Cases, vastly the advantage of Elections by the People in their collective Capacity, where the activity of Party Zeal taking advantage of the Supineness the Ignorance the Hopes and the Fears of the unwary & interested§ frequently places Men in Office by the Votes of a small Proportion of the Electors, [*and Men too with whom the great body of Electors have not always Reason to be satisfied—*||]

as the State Electors for President as well as the State Legislatures, will in general be composed of the most enlightened and respectable Citizens, there is [*the highest*]¶ Reason to presume that their appointments to these [*great*]\* national offices will be [*discreet*]‡ judicious, or in

\* The word "delegated" is interlined over the words, "vested in any man or Body of Men," erased. The importance of this change in Mr. Jay's mind, concerning the status of the proposed "Congress of the United States," and concerning the character of its authority, will not be lost sight of by the careful reader.—ED. HIST. MAG.

† The words in Italics were subsequently erased.—ED. HIST. MAG.

‡ The subsequent erasure of the word "particularly" indicates very clearly the limited respect which Mr. Jay had for "the proposed Constitution;" and it will be yet more apparent when the four preceding words—"appear to have been"—are read in the same connection.—ED. HIST. MAG.

§ This sentence originally read—"in their collective Capacity, where the Supineness of many and the activity of Party Zeal operating on the Ignorance the Hopes and the Fears of Men."—ED. HIST. MAG.

|| The words in Italics were subsequently erased.—ED. HIST. MAG.

¶ These words were subsequently erased.—ED. HIST. MAG.

\*\* Subsequently erased.—ED. HIST. MAG.

‡ Erased.—ED. HIST. MAG.



other Words that the Federal\* President & Senators [so chosen]† will be men who had become eminently distinguished by their Virtue and Talents—nay so exceedingly cautious and attentive were in Convention in providing for this object, that by excluding Men and 35 from the first office, and under 30 from the second, they have confined the Electors to Men of whom the People have had Experience, and with Respect to whom they will be in no Danger of being deceived by those brilliant appearances of Genius and Patriotism which like transient Meteors sometimes mislead as well as dazzle—

From the manner in which they are to be appointed it is reasonable to infer that the power of making Treaties will be exercised by [the most]‡ able and honest Men [to be found in the Country, U. S.]§ for if the observation be just that wise Kings will always be served by able|| Ministers, it is natural to presume that as an assembly of select Electors possess in a higher Degree than Kings the means of extensive and accurate Information relative to Men [of their]¶ Characters, so in the same Degree will their appointments be in general more discreet, and judicious.

The Presid<sup>t</sup> & Sen<sup>rs</sup>\*\* so chosen will doubtless be of the number of those in each State who best understand its Interests, whether considered in Relation to the other States or to foreign Nations;†† and we must suppose that the members from each State however well disposed to promote the general good of the whole, will yet be

still more Strongly disposed to promote that of their immediate Constituents—

altho the absolute Necessity of System in the conduct of any Business is universally known & acknowledged, yet the high Importance of it in national affairs has not yet become sufficiently impressed on the public mind. They who wish to commit the power under Consideration to a popular assembly composed of Members constantly coming and going in quick Succession, seem not to recollect\* that such a Body must necessarily be inadequate to the Attainm<sup>t</sup> of those great objects which require to be steadily contemplated in their various Relations and Circumstances, and which can only be approached and achieved by Measures which not only Talents but accurate Information & often much Time are necessary to concert and to execute

It was wise therefore in the Convention to provide not only that this power sh<sup>d</sup> be exercised by the ablest men, but also that they should continue in Place a sufficient Time to become well acquainted with our national Concerns, and to form and introduce a System for the Management of them— by this Provision they will be in Capacity to make daily additions to their Stock of political Information and be enabled by experience to render it more & more beneficial to the Country—nor did the Convention manifest less prudence in so prescribing for the frequent Election of Senators‡ in such a way as to obviate the Inconvenience of periodically committing those great affairs to new Men unacquainted with their exact Situation & circumstances, for‡ by leaving a considerable Residue of the old ones in place uniformity and order as well a constant Succession of Information from the first to the latter Members, will be preserved—

It will not be denied that the affairs of Trade and Navigation should be regulated by a System wisely formed and steadily pursued— It is also

\* The word "Federal" interlined—the importance of which, as an after-thought of the writer, will not be lost sight of by the careful students of his character and opinions.—ED. HIST. MAG.

† Subsequently erased.—ED. HIST. MAG.

‡ The words in Italics were subsequently erased.—ED. HIST. MAG.

§ It is evident from the style of the erasure that Mr. Jay first erased the word "Country" and substituted for it the initials of the United States; and that he subsequently erased the amendment, together with the five preceding words, as indicated by the Italics.—ED. HIST. MAG.

|| The word "able" written over "wise," erased.—ED. HIST. MAG.

¶ Erased.—ED. HIST. MAG.

\*\* The preceding words of this paragraph were interlined over the words "Such men," erased.—ED. HIST. MAG.

†† In revising this paragraph for the Press, Mr. Jay seems to have entirely changed his views and thus expressed them in their revised form: "The inference which naturally results from these considerations is this, the President and Senators so chosen will always be of the number of those who best understand our National Interests, whether considered in relation to the several States or to foreign Nations, who are best able to promote those interests, and whose reputation for integrity inspires and merits confidence."—*Federalist*, No. LXIII.—Ed. Morrisania, 1864, i., 447.

May we not hope to receive, from some one who knows all about Mr. Jay, the information which will enable us to judge whether or not this change was effected by his intercourse with Messrs. Hamilton and Madison—his associates in *The Federalist*—rather than from his own, unassisted "sober second-thought."—ED. HIST. MAG.

\* The words "to recollect" are written over "to be apprized," erased.—ED. HIST. MAG.

† The words "in so prescribing for the frequent Election of Senators" are written over the following words, erased, "in directing the manner prescribed for periodical Recall of a certain Proportion of the Senators—for thereby the Right & Expediency of frequent Elections are secured to the People."

The careful student will readily perceive from the above, the drift of Mr. Jay's mind concerning the tenure of the Senatorial office, under "the proposed Constitution"—Envoys, even ordinary agents, are sometimes "Recalled" by their Principals, Sovereign or Subject: who has ever heard of the "Recall" of a Sovereign, such as the Senate has more recently assumed to be, by a "People" who, in that case, could have been only his Subjects? He will perceive, also, that Mr. Jay saw no difference, in fact, between a direct Election by "the People," and an Election by the Legislature, as its Agent and Representative. He speaks, therefore, of "the frequent Election of Senators," as by "the People," itself, notwithstanding "the People," in proper person, has nothing whatever to do with such elections.—ED. HIST. MAG.

‡ The word "for" is interlined over "but on ye contrary," erased.—ED. HIST. MAG.

well known that whatever may be the System our Treaties with foreign Nations as well as our Laws on the Subject sh<sup>d</sup> be conformable to it—It is highly important therefore that this conformity sh<sup>d</sup> be preserved; and the Convention by making the Concurrence\* of the Senate necessary to both have taken effectual Care that our Treaties & our Laws shall always harmonize and unite in promoting the attainment of the same national† objects—

Let it also be remembered that in forming Treaties of Peace and [*Treaties*]‡ of Commerce & particularly the former, it often happens that perfect Secrecy and immediate§ Dispatch are requisite There are Cases when the most useful|| Intelligence may be obtained provided the Parties possessing & conveying it have no Reason to apprehend a Discovery—whether those Parties be influenced by mercenary or by friendly Motives will make but little Difference, for in either Case a Discovery might be equally fatal to them—It is not rash to presume that there are many of both Descriptions who would rely on the Secrecy of the President, but who would not confide in that of the Senate, and still less in that of a large popular Assembly— The Convention have done well therefore in so disposing of this power of making Treaties, as that altho the president must in forming them act by the Advice and Consent of the Senate;¶ yet he will be able to manage all affairs of secret Intelligence in the Way which Prudence and Circumstances may suggest—The Propriety of these Remarks might be illustrated by Facts well known to many but which it would not be advisable to render more public.

They who have turned their attention to the Affairs of men well know that there are Tides in them—Tides exceedingly irregular in their Duration,\*\* Strength and Direction, and seldom found to run twice exactly in the same manner and measure. To Discern†† and profit by these Tides in national affairs, is the Business of those Politicians who preside over them‡‡—in doing

this Days and even Hours are often precious, and Despatch indispensable—The intervening Death of a Prince, the removal of a Minister, in short the least change in the present posture of affairs may give a favorable Tide an opposite Course.\*

as in the Field so in the Cabinet there are moments to be seized as they pass; neither our Governors or our Generals should be restrained from improving them†—we have in more Instances than one, suffered exceedingly from the Delays inseparable from our present Gov<sup>t</sup> and we have much Reason to rejoice that the proposed Constitution has so well provided ag<sup>t</sup> them—for many preparatory and collateral Measures relative to Negotiations may be taken by the President and when such as require the Concurrence of the Senate occur, he may at any time convene them—Thus does the constitution give to the formation of Treaties all the disadvantages of Sec<sup>y</sup> and Despatch on the one Hand and of deliberate Council on the other—

But to this Plan as to all others that have ever appeared in the World, [*without excepting even those which descended from heaven*]‡ objections have been contrived and urged.

Some object because the Treaties so made are to have the Force of Laws, and therefore that the Makers of them will so far have legislative power This objection is a mere play on the word legislative Is not the Commission of the King of Great Britain to a Judge or a general as valid in Law and as obligatory on all whom it may concern, as if the Judge or the General had been commissioned by Act of Parliament? If the People from whom only civil Power can be derived think it expedient by their Constitution to give to a King the power of issuing such Commissions, they must be as much bound by such royal acts, as they are by those acts which they authorize their Legislature to pass §

[*The People of america knowing that they would have occasion to make Treaties or Bargains with other Nations appoint certain men in their Name to make those Bargains for them—again the People of america knowing that Laws regulating their general affairs would be necessary, think proper to appoint certain other Men to make such Laws then—surely in the one Case as in the other the acts of these Men must have equal*]]

\* The last eight words originally read as follows—"pre-served—Of this the Convention appears to have been apprized, for by making the Concurrence" etc.—Ed. HIST. MAG.

† The word "national" written over "interesting," erased.—Ed. HIST. MAG.

‡ Erased.—Ed. HIST. MAG.

§ "Immediate" is written over "great," erased.—Ed. HIST. MAG.

|| The words "the most useful" are interlined, evidently to take the place of "of great Importance" which originally followed "Intelligence," and were erased.—Ed. HIST. MAG.

¶ In the sentence "altho the president must in forming *them act by the Advice,*" etc., the words in Italics are interlined over "is restrained by," erased.—Ed. HIST. MAG.

\*\* Originally "is a Tide in them—a Tide exceedingly irregular in its Duration," etc.—Ed. HIST. MAG.

†† "Discern" interlined over "observe," erased.—Ed. HIST. MAG.

‡‡ "Them" interlined over "nations," erased.—Ed. HIST. MAG.

\* The words "give a favorable Tide an opposite Course" are interlined over "terminate this Tide forever."—Ed. HIST. MAG.

† This sentence originally read thus:—"seized as they pass; and in such Cases consequently the Power of improving such fortunate Seasons, should no General should not be re-trained from improving them." The words in Italics were subsequently erased.—Ed. HIST. MAG.

‡ The words in Italics were subsequently erased.—Ed. HIST. MAG.

§ In the published Essay the reference was changed from the King of Great Britain to the Governor of New York.—Ed. HIST. MAG.

|| This entire paragraph was subsequently erased.—Ed. HIST. MAG.



Whatever name therefore be given to the obligation of Treaties or whether the making them be called the Exercise of legislative or any other kind of authority certain it is that the people have a Right to dispose of the power to make them as they think expedient—and when made conformably to the power delegated must be valid and inviolable

Others seem uneasy that Treaties are to be the sup.\* Laws of the Land. It is not easy even to suspect Gentlemen of being serious when they profess to believe and insist that Treaties like acts of assembly should be repealable at our will & pleasure—a Treaty is only another name for a Bargain or a Contract, and have no Reason† to expect or hope that any Nation or any private Man of Common Sense can be found, who would consent to make any bargain with us which so far from being mutually binding, should by us be carved, and construed, extended, contracted or annulled just as [the Wisdom or Convenience of‡] our Legislature or Legislatures might think most convenient and advantageous.

They who make Laws may without doubt repeal them and it is equally true that they who make Treaties may alter or annul them—but we are not to forget that Treaties are made not by one of the contracting Parties but by both, and consequently that as the Consent of both was essential to make them at first, so must it ever afterwards be to alter or cancel them—§ The proposed constitution therefore has not in the least extended the obligation of Treaties—they are just as binding and just as far beyond the lawful Reach of legislative acts now as they will be at any future period or under future Gov||

Altho now useful Jealousy may be a republics Qualification (virtue it never was nor will be) yet when like Bile in the natural too much in the Body politic, the Eyes of become very liable to be deceived by the delusive appearances which that Malady gives to surrounding Objects¶—

Will the President and Senate make Treaties

with an equal Eye to the Interests of all the States—will not the two thirds often be tempted to oppress the remaining third—[will not the Influence of the eastern & middle States generally preponderate in that Body]\* are these Gent. made sufficiently responsible for their Conduct? if they act corruptly can they be punished? and if they make disadvantageous Treaties can we get rid of such Treaties—[These and similar Questions are may be answered with as much It is easy to ask Questions, and objections put into the form of Questions, is as easy a Way]†

Such questions really betray an undue Degree of Jealousy every objection to the federal Constitution‡ w<sup>h</sup> they imply may at least with equal force be applied to that of this State.

Will the Gov<sup>r</sup> & Legislature of New York make Laws with an equal Eye to the Interests of all the Counties—will not the majority often oppress the minority. are these Gentlemen made sufficiently responsible for their Conduct—if they act corruptly can they be punished—and if the commissioners make disadvantageous Treaties [with the Indians]§ or Bargains with the Indians or others can we get rid of them—

as all the States are represented equally in the senate which is to vote *per Capita*, they will all have an equal Degree of Influence there, especially if they are careful to appoint [their best men]|| proper persons to that Body, and insist on their punctual attendance. In Proportion as the united States assume a national Form and a national Character, so will the good of the whole become more and more an object of attention; and the Gov<sup>t</sup> must be a weaker one indeed if it should forget that the good of the whole [can only consist of the combined]¶ cannot be promoted without attending to the good of each of the parts or Members which compose the whole. It will not be in the power of the President and Senate to form any Treaty by which they & their Estates and Families will not be equally bound.

\* Subsequently erased.—ED. HIST. MAG.

† Subsequently erased.—ED. HIST. MAG.

‡ The words "federal Constitution" in this portion of the original Manuscript is peculiarly interesting in view of the persistent efforts which have been made by John C. Hamilton, George T. Curtis, and John Jay to impeach the integrity of *The Fœderalist*, edited by Henry B. Dawson, on account of its rendering of the word "Fœderalist" after the manner of the authors of that work; and it effectually disposes, if such additional testimony was actually necessary, of their unsupported denials that "PUBLIUS," the distinguished authors of that work, thus spelled the word, and thus openly recognized the Union as "a firm League of friendship," and its Constitution as supplementary rather than subversive of the *Articles of Confederation and Perpetual Union*.

John Jay the elder, it will be seen, considered the Constitution for the United States a "federal Constitution." John Jay the younger, and those who have acted with him, may safely read his teachings, and having learned the truth on this subject, follow his example, by telling it.—ED. HIST. MAG.

§ Erased.—ED. HIST. MAG.

|| Erased.—ED. HIST. MAG.

¶ Erased.—ED. HIST. MAG.

\* Supreme.—ED. HIST. MAG.

† Originally, "and have we any Reason," etc.—ED. HIST. MAG.

‡ The words in Italics were subsequently erased.—ED. HIST. MAG.

§ The latter part of this sentence was originally in these words:—"But we are not to forget that Treaties are made not by one of the contracting Parties but by both, and consequently the same Consent of both to make them at first, will forever afterwards be necessary to alter or cancel them."—ED. HIST. MAG.

|| The latter part of this sentence was originally in these words:—"They were just as binding and just as far beyond the Reach of legislative acts before the Convention convened now as they will be at any period or any Govt whatever."—ED. HIST. MAG.

¶ This sentence was evidently constructed with great difficulty; but the erasures and interlineations are so many and so disconnected that nothing can be done with them.—ED. HIST. MAG.



and affected with Rest of the Community, and having no private interest distinct from that of the Nation they will be under no temptations to neglect the latter—

as to corruption the Case is not supposable—a man must either have been very unfortunate in his Intercourse with the world, or possess a Heart very susceptible of such Impressions: who can think it probable that the President and two-thirds of the Senate will ever be capable of such unworthy Conduct— The Idea is too gross and too black to be entertained— — But even in such a Case if it sh<sup>d</sup> ever happen the Treaty so obtained from us would like all other fraudulent Contracts be null and void by the Law of Nations—

With Respect to the Responsibility of the President and Senate, it is difficult to conceive how it could be increased— Every Consideration that can influence the human mind, such as Honor, oaths, Reputation, the Love of Country, and domestic affection & attachments [*insure*]\* afford Security for their Fidelity—

as the Constitution has provided that they shall be Men of Talents and Integrity we have good Reason to be persuaded that the Treaties they make will be as advantageous as all Circumstances considered could be expected— [*Besides such Individuals among them as may now*]\* and so far as the Fear of Punishment and Disgrace can operate, that motive to good Behaviour is amply supplied and afforded by the article on the Subject of Empeachments

[*In short no Plan If Talent and Integrity, if political Information respecting the State of things at Home and abroad, if Secrecy & Dispatch and the benefit of joint Counsels be desirable*]\*

In short as this Plan appears at least in Theory to have greatly the advantage of any that has yet appeared it certainly merits a fair Trial.

## II.—THE PILGRIM FATHERS NEITHER PURITANS NOR PERSECUTORS.

A LECTURE DELIVERED AT THE FRIENDS' INSTITUTE, LONDON, ON THE EIGHTEENTH OF JANUARY, 1866, BY BENJAMIN SCOTT, F.R.A.S., CHAMBERLAIN OF THE CITY OF LONDON.†

Passing, many years since, from Threadneedle Street, in this city, to take the omnibus

at the corner of Bishopsgate Street, my attention was arrested by a considerable crowd. I naturally enquired the cause of the assemblage, and was informed that a reckless cab-driver had inhumanly driven over a woman, who was seriously, if not fatally, injured; a second bystander thereupon interposed the remark that the man had *not* acted recklessly, but was driving carefully when the woman was run over; no sooner had he spoken than bystander number three asserted that he had seen the woman rush across the street under the very feet of the horse, that the man had not driven over her at all, but that he had, by his tact and admirable management of his horse, been instrumental in saving her life. Entering the conveyance by which I was about to travel I narrated the conflicting statements to which I had just listened, when a gentleman of venerable appearance remarked, with the calm confidence which betokens a settled conviction, "Such, young man, is the material of which "history is composed."

This incident originated much thought at the time, but many years elapsed before reading, reflection and experience of passing events compelled me to adopt as my creed the remark I had listened to, and compels me to record my matured conviction that History, as it has been hitherto written, is generally little better than the conflicting testimony of mistaken or careless witnesses, the blundering compilation of half-informed writers, or the distorted caricature of prejudiced partizans. But will History ever continue untrue, unjust and unreliable? I think not. I have faith in truth, and its ultimate triumph in every department. I believe in what has been termed "the Resurrection of Reputations" even in this world. Time, circumstances and Providence work slowly but surely, and often wondrously, towards this end. As, in the case of the accident alluded to, the original evidence was conflicting and irreconcilable,—yet doubtless judicial sifting and cross-examination elicited ultimately the true facts, separated them from hearsay statement, and apportioned fairly the measure of merit or of blame,—so in respect of the World's History a process of reconstruction is going forward, based, in many cases, upon original and unquestioned documents wonderfully and often unintentionally spared to give their unimpeachable testimony in the new historic court of appeal.

Upon such evidence I shall have mainly to rely in my endeavour to do justice to men "of whom the world was not worthy," of whom Englishmen of all classes will one day be truly proud, and to whom Americans cannot be too grateful or too just.

\* Erased.—ED. HIST. MAG.

† From a printed copy, kindly loaned for the purpose, by J. K. Wiggan, Esq., of Boston.

We offer no apology for re-producing this very interesting tract; and we advise all who shall suppose there is something "anti-Massachusetts" in it—*The Congregationalist* and *The Brooklyn Union*, for instance—to read the third paragraph of the learned author's "Conclusion," which clearly expresses our views and sympathies on the subject.—ED. HIST. MAG.

My address, this evening, is a task imposed upon me by circumstances; a task which I should not voluntarily have assumed. It originated in the fact of my having listened lately to a truly eloquent lecture, delivered in this room, on ROGER WILLIAMS, founder of the Rhode Island Colony. The lecturer on that occasion reiterated (unintentionally of course) the statement, to which some recent writers have given currency, that Roger Williams had experienced persecution for religion's sake at the hands of the noble men known to history as "the Pilgrim Fathers." Admiring the lecture, venerating the character of Roger Williams, greatly respecting "the Friends" before whom and in whose Institute I sat, yet I felt that *truth* was more to be admired, venerated and respected than ought else, and my spirit was stirred within me to claim a hearing on behalf of men whose reputations should be regarded as a sacred inheritance by all of every sect who value true and undefiled religion.

My request was, as I expected, readily granted by the members of the Friends' Institute, and although many of them entertain opinions on this subject at present at variance with my own, yet I know too well their sacred *regard to truth* to doubt that they will rejoice to have afforded me this opportunity for explanation, even though it should result in their surrendering opinions hitherto entertained.

It will not be my office to narrate the eventful history of the Pilgrim Fathers, or that of Roger Williams, or indeed of their contemporaries in New England, excepting so far as incidental allusion to such histories may be necessary to the elucidation of my point. I shall find it convenient to obtain and make definite my object by supporting the following historical proposition:—

The Pilgrim Fathers were not PURITANS, but SEPARATISTS (who were the first advocates of perfect Freedom of Conscience at the Reformation)—they did not, as has been reported of them by some writers, persecute for conscience' sake either Roger Williams, the Friends, or any person.

In submitting my proofs I shall have occasion to encounter the statements of some recent writers of repute who have affirmed to the contrary, but I must ask my hearers to bear in mind that the testimony of these writers—as they were not contemporaries, and knew not the facts of their own knowledge—is not of more weight than the statement of the *first* of them, with whom may have originated the mis-statement, which careless authors have merely reproduced. The same remark applies equally to those more

eminent historians who have written on the other side. I shall call no such witnesses to-night. They are, in truth, the parties on their trial, and must stand or fall by the evidence of original documents. The reiteration of a statement can never alter the relations of falsehood and truth. Truth and error must continue truth and error eternally, even though the reverse be asserted eternally. To enumerate the testimony of successive writers, therefore, is vain upon such a point as that before us, unless any such had access to original documents newly brought to light; I shall not array, therefore, the testimony of conflicting historians—although the balance would decidedly preponderate on the side of the question which I espouse, whether those writers be tested by their numbers or by their reputation.

I propose first to show that the Pilgrim Fathers of Plymouth Colony—the only persons to whom that term has been historically applied, the first successful Anglo-Saxon colonists of America, and the real founders of New England—were not *Puritans*, as is often carelessly and erroneously reported, but *Separatists*.

The difference between the early Puritans and the Separatists was not one of name merely, or I should not be found directing attention to the confusion which prevails in some minds on this subject. That difference was not superficial, but wide, fundamental and irreconcilable. It involved nothing less than the whole question of enforced or free religion,—of religion by act of the State or freedom of conscience,—of religion as an act of obedience to the ruler, or as an act of conscience towards God,—the difference, in truth, which separated and still separates the *State Churches* from the *Free* all the world over. It involved in the days of the Pilgrim Fathers the difference between the dominant and persecuting Church which wielded the sword of the State and the persecuted victims of that sword. To confound things which so differ, to treat as one the persecutor and the persecuted, is to put "darkness for light, and "light for darkness; bitter for sweet, and sweet "for bitter," and must result in making history an unmeaning jumble. So to confound persons and parties is in this case to inflict injustice upon the memories of those who have been shaping the good of the present, and whose principles form the best hope of the world's future. It has been asked, "Did the Pilgrim Fathers repudiate the term *Puritan* as applied to themselves?" I reply they were not and could not, at that day, have been afforded the opportunity of repudiation; no such confusion of terms could then have arisen. Their enemies were too vigilant and unrelenting, and they and their predecessors were too truthful to permit



of their shielding themselves under the term *Puritan*. I shall show you that the difference between the two parties in question was considered so fundamental and irreconcilable that the one party put the other to death for their diversity of sentiment, until the persecuted party fled to a new world to secure that freedom of worship which was forbidden in the old.

It will be necessary to the full elucidation of this point to show who were the immediate religious *precursors* of the Pilgrim Fathers, and for this purpose it will be convenient to recur to that period of the Reformation in England when the Church of England was completely and finally established by Law.

The spiritual supremacy of the King, established and enforced by the Eighth Henry, had been reversed in Mary's reign, and the Pope was once more declared by the Act of Parliament to be the spiritual head of the Church in England. It is to Elizabeth's reign, therefore, that we must look for the final settlement of the ecclesiastical Establishment, which from and since that reign has been in close connection with the State in England. There is an earlier history of both *State* and *Free* religion, and of the struggles of Presbyterianism in Scotland, but my argument lies to-night in connection with the reformation of religion in England, and the most convenient starting point, for many reasons, is that which I propose.

Queen Elizabeth ascended the throne in 1558, and in December of that year issued a proclamation forbidding any change of the forms of religion until they should be determined according to Law. Immunity from Papal persecution was obtained by the change of rulers, but no freedom to worship according to conscience, either as it regarded Roman Catholics or Protestants. This is a point too much overlooked, and hence much confusion as to religious parties formed at this juncture. The Queen was a good friend to Protestantism as opposed to Popery, but the bitter opponent of all Protestantism which did not square with her own and that of the State. The Act of Supremacy, declaring her the head of the Church, passed in the first year of her reign, followed closely by the Act of Uniformity, requiring all to worship on the State pattern and in the Parish Churches. Early in 1562 the work was completed by the adoption of the Articles of Religion, and from this date, the Church of England being completely established by Law, we may conveniently trace that "*Separation*," which, with more or less distinctness, can be traced through all subsequent English History to this day.

Side by side with the records of a powerful State establishment we find the frequent,

though incidental, mention of a band of humble earnest "*Separatists*," as they were termed, protesting against errors which the Reformation in England had failed to remove,—against the assumption by any human power, however august, of that headship which belonged of right to Christ, and pleading for permission to worship according to the simplicity of form and practice of the primitive Christians.

Such were the *Separatists*, at that day undivided on the subject of baptism and other questions which have given rise to sects having various names. They constituted, with the Roman Catholics, the only persons then objecting in England to the Church as by Law established. They formed themselves, as did the early disciples, into distinct associations or churches, chose their own teachers and regulated their own affairs. The *Church*, they maintained, was a spiritual association, and should consequently be *separate* from the *world* and its *rulers*, and should be governed only by the laws of Christ as given in the New Testament; hence their distinctive appellation. Their simplicity of sentiments and moral conduct rendered them unpopular in a corrupt age; their opposition to an endowed Church made them obnoxious to the clergy, who held to the wealth and honors of the State; their recognition of Christ as the sole head of the Church gave mortal offence to the ruling powers, and afforded opportunity for charges of disloyalty and sedition, and directed against them the persecuting power of an intolerant court and hierarchy. In a word, they were the "*Nazarenes*" of the English Reformation—were regarded "as the filth and off-scourings of all things." They worshipped only in secret places,—in ships moored in the River Thames,—in obscure corners in the City, in the woods and fields which surrounded London and some other towns. We should know little concerning them but for the depositions of their relentless enemies, and the noble defences of their principles which persecution called forth, and but for the providential preservation of such documents by their opponents. They dwelt almost alone, and were scarcely regarded as a part of the nation.

Of course a term of reproach for the party was soon forthcoming. The occasion was furnished by one Robert Brown, who having ably advocated their principles proved unfaithful to them,\* and accepted a living in Northamptonshire. This conduct of Brown caused to adhere to them the term of "*Brownists*," by which they were long known in history.

Now for the other party which arose at this

\*Vide Lansdowne MSS. xxxlii, art. 13, 20; also Minute Book of St. Olave's Grammar School.



juncture. The English Reformers, many of whom returned from exile on the accession of Elizabeth, were greatly disappointed to find the new Establishment virtually settled, and that the principles of the Reformation had not been carried further in its constitution.\* The greater part of them, however, accepted the change, and with it the Royal Supremacy, Uniformity of Worship and the Articles of Religion. Some took this course for the sake of peace and unity, others from less worthy motives; all of them, however, hoping to effect, in due time, further reformation—a hope which was never to be gratified. This reforming or evangelical party within the Establishment were termed "*Puritans*," and are known in history as the "*EARLY Puritans*," to distinguish them from a party which existed later in history, particularly at and after the period of the Commonwealth.

We have thus the origin of two parties formed at the birth of the Church of England,—parties differing widely both in principles and practice; the *Early Puritans* within the Establishment, and the *Separatists* or Brownists outside of that organisation, declining to recognize the *spiritual* claims of the English Sovereign, and contending for the exclusively spiritual character of His church who had affirmed, "My kingdom is not of this world."

The clearest historical evidence of the existence and organisation of the Separatists may be found from the very period of the State Church establishment, which as we have shown, was finally effected in 1562. Five years later we have a distinct historical notice of a company of Christians meeting at Plummer's Hall, in Laurence Pountney Lane, in this city.† They were brought before the Lord Mayor, and on the twentieth of June, 1567, committed to the Bridewell, on the banks of the Fleet River—a prison still existing in New Bridge Street, Blackfriars; and it may interest you to know that the humble individual who addresses you is the only official person whose jurisdiction of committal there continues to this day. Truly the lines have fallen to us in happier and safer times and places. Had we met for our present purpose in those days, we should doubtless have been committed to prison for so doing; and, while we do justice to those who by their faithful testimony and their blood won for us religious freedom, let us recollect that it is *only thirty-nine years since* it became possible for you, my hearers, being most of you Separatists, as for him who addresses you, being also of that conviction, to have held any office or

place of trust, however humble, either in the service of the State or of this City.

Gathered in the prison around the New Testament, which the Reformation had placed in their hands, this little band spelled out, by the aid of the Holy Spirit's teaching, the spirituality of the true Church, its independence of the powers of the world, and its consequent right to self-government, subject to the laws of Christ. They accordingly formed themselves, in the prison, into a *separate* society or church of believers on the New Testament model, selecting pastor and officers. The original document, with the names of all the parties appended, has been recently found in the State Paper Office.\* Richard Fitz, pastor, the deacon, and several of the members died of the prison plague, but though deprived of their leaders they continued to meet in private houses after their liberation. They were not, however, permitted to worship in peace. A letter of thanks was addressed by the Privy Council to the Bishop of London for his zeal in "discovering their conventicles," in 1574.‡ Next in order of date we meet with Robert Brown, whom we have already alluded to as unfaithful to his principles.

Robert Harrison, a friend and companion of Brown, with courage and fidelity grasped the banner which Brown threw away, until the Act of the 23rd Elizabeth (1582) made it *treason* to worship, except in accordance with the form prescribed by law. Upon this Harrison escaped to Middleburg, in Zealand, and became pastor there of a church of refugees from Protestant bigotry in high places. Brown had written several books on the nature of the Church and its relations to the State, and Harrison wrote also a treatise on true Church government, which is still extant.‡ These works helped to spread Separatist principles, and soon brought to the scaffold those who were found circulating them. In rural places the Separatists continued to convene in the name of the Lord Jesus. Dr. Freke complained "that their meetings" in Norfolk "were held in such 'close and secret manner' that he found it impossible to suppress them.§ He apprehended, however, two of their leaders, John Copping and Elias Thacker, in 1576, and kept them some years in prison. They were at last brought to trial, and convicted of the capital offence of circulating Separatist books. Sir Christopher Wray, Lord Chief Justice, wrote, "that they were condemned to die, and 'were to be executed immediately, *not waiting*

\* *Uncalendered, in Misc. Fascie, State Paper Office.*

† *Register of the Privy Council, 1574.*

‡ 16mo, 1583. In British Museum.

§ Lansdowne MSS. xxxiii. art. 13.

\* Zurich Letters.

† *A Parte of a Register, 23—37.*

for the possibility of a reprieve.\* These martyrs died at Bury St. Edmunds, acknowledging the civil supremacy of the Queen, but maintaining that in spiritual matters they owed allegiance to "another King, one Jesus." William Dennis, "a golly man," so says the record, was executed shortly afterwards, in Norfolk, for the same offence.†

By these severities the feeble light was almost extinguished, and had it been of human origin, it must have gone out in darkness. "The Church," says Leighton, "hath sometimes been brought to so obscure and low a point that you can follow her in history only by the track of her blood." It was so here, but an ever-watchful Providence raised up two earnest men, fellow-students of Cambridge, to maintain the holy and undying principles for which the martyrs of Bury St. Edmunds had laid down their lives: I refer to John Greenwood and Henry Barrowe, who associated themselves with the scattered Separatists when their cause was at the lowest, and apparently hopeless.

Greenwood, who had been private chaplain to a gentleman of fortune,‡ was surprised one Lord's-day morning in 1586, while reading the Scriptures at a private house in the parish of St. Andrew, by the Wardrobe in this city, and committed to prison. Two of his auditors were from Norfolk.§ Barrowe was also from Norfolk, and connected with an aristocratic family there. He had entered as a law-student at Gray's Inn. On Lord's-day morning, the nineteenth of November, 1586, he, unsuspecting danger, went to visit his friend Greenwood and others imprisoned in the "*Clink*," a prison in the grounds of the Bishop of Winchester, in Southwark, his object being to show compassion "to those in bonds as bound with them." No sooner, however, had he arrived, than the jail-keeper detained him, saying he had orders from the Archbishop to do so.|| Henceforward Greenwood and Barrowe remained in bonds, true to each other, and steadfast in the cause they had espoused. Here the persecutors, as ever, outwitted themselves; for the brethren, although in the society of felons, and surrounded by all that was loathsome and pestilential, contrived to write in confirmation of the truths for which they suffered. Dropping their scraps of MSS. into the jug from which they drank, these were conveyed, day by day, by "Cicely," a faithful handmaid of Mrs. Greenwood, to a trusty friend, who sent them to Dort, in Hol-

land, where they were printed and conveyed to the Separatist brethren.\* Thus the Bible and the printing press supplied the place of the oral teaching which the State had suppressed.

Six years later we find that the prisoners, having obtained liberty to go out during the day, a church was duly organised in Southwark, at the house of Roger Ripon.† Of this little company John Greenwood was appointed teacher. In connection with this church we find another remarkable man, Francis Johnson. Originally a Puritan minister of good repute, he was, under peculiar circumstances, induced to throw in his lot with the Separatists. The circumstances were these. Having, while a Puritan, discovered at a printer's in Holland a copy of the book written in the *Clink* by Barrowe and Greenwood, he reported the same without delay to the English ambassador, and he was charged to destroy the whole edition. (We have here incidental evidence of the hostility of the Puritan to the Separatists, for which we contend.) Johnson seized the books, and burned the whole, with the exception of two copies, one of which, prompted by curiosity, he perused. It was the means of convincing him, and he embraced the faith he had laboured to destroy.‡ Returning from Holland we find him associating with Barrowe and Greenwood; he was elected a coadjutor of the latter, as pastor of the infant church in Southwark, and was imprisoned in the *Clink* for many years.§

We find at this period the Puritan clergy of this city, under the orders of the Bishop of London, employed discreditably as spies. They visited the Separatist prisoners once every month, apparently for conference, but noting down their conversations, that in the event of their being brought to trial these clerical inquisitors might be sworn.|| The evidence so obtained amounted to nothing more than a declaration of their views as to the character and rights of the Church, but was deemed sufficient to secure their conviction. Barrowe and Greenwood were thus brought to trial, charged with having written books to *lessen the Queen's prerogative in matters spiritual*, and the speech of counsel, which is still extant, charges them with *claiming the right of a church to manage its own affairs*. On the twenty-third of March, 1592, they were condemned to die. The Attorney-General followed them to their cells, entreating them to save their lives by

\* Lansdowne MSS. xxxviii. art. 64.

Ibid. art. 64, p. 163.

Ibid. cix. art. 3.

§ State Papers, Domestic.

|| *Hartleian Miscellany*, orig. edit. 4to, vol. iv. p. 326.

\* Egerton Papers, Camden Society.

† Harleian MSS. 6548, art. 3.

‡ *Young's Chronicles*, pp. 424, 5.

§ See his Letters to Lord Burleigh, Lansdowne MSS. lxxv. art. 25, and lxxvii. art. 26.

|| *Bancroft's Survey. Historical Papers*, chap. vii.



recantation, but in vain.\* The next morning they were brought out for execution and bound to the cart, but a reprieve stayed their execution. After a week's interval they were again taken to execution, when a second reprieve arrived, and they returned again to prison, "amidst," as we are told, "the applause and rejoicing of the "people." This manifestation of popular sympathy was fatal; their enemies in Church and State became alarmed, and hurried forward their execution, which took place secretly and early in the morning of the sixth of April, 1593.

One extract, out of many which we might quote, from an extant letter of Barrowe's, proves that it was simple liberty of conscience which these men claimed, and for which their lives were sacrificed. "Deal tenderly," he writes, "with tender consciences; we are yet persuaded that we should show ourselves disobedient and unthankful to our Master except we hold fast this cause. \* \* Why should our adversaries wish to persuade the civil magistrates to deal with us by the sword and not by the Word, by prisons and not by persuasions? As for dungeons, irons, close prison, torment, hunger, cold, want of means to maintain families,—these *may* cause some to make shipwreck of a good conscience, or to lose their life; but they are not fit ways to persuade honest men to any truth or dissuade them from errors."

John Penry, another remarkable man, educated at Oxford, joined the party just before the execution of Barrowe and Greenwood. He was by birth a Welshman. The great desire of his life was to introduce the Gospel to his fellow-countrymen, and he was the first to translate a portion of the Scriptures into Welsh. Disappointed in his efforts he was led to examine the causes which hindered the spread of the Gospel, and finding it to consist mainly in the ignorance and indifference of the State clergy, he expressed his opinions as to the evils of the Established System with honesty and fervidness. This naturally aroused persecution, and he was brought before Archbishop Whitgift, and charged with *heresy* in having written—"That men, by whomsoever ordained—whatever prelate or bishop or presbyter's hand had been upon them—who did not do the work of an evangelist, but neglected to preach God's word to the people, were no true ministers of Jesus Christ." Penry replied, "If it is heresy, I thank God that He has taught it me from His Word." "I say," exclaimed the exasperated prelate, "it is heresy, and thou shalt recant it." "Never!" rejoined the intrepid Welshman:

"Never, God willing, so long as I live." He was liberated, however, but took again to preaching the Gospel so dear to his heart. A warrant was issued accordingly, and he fled to Scotland with his wife and four infant children. Queen Elizabeth followed him with an autograph letter to the Scotch King, insisting upon his extradition.

Proclamation was issued accordingly, in August, 1590, for his apprehension, and death denounced against any who should afford him food or shelter. With a price on his head this intrepid evangelist travelled from Scotland to London, and cast in his lot with the poor Separatists of Southwark.\* He was soon discovered, however, and cast into prison; first in this city, and afterwards into the Queen's Bench in Southwark.

Being subjected to the inquisitorial ordeal of spies a private diary of his was found, and from some expression therein on the Queen's supremacy, construed as disloyal, he was condemned to die for imputed treason, in May, 1593. Letters written by him shortly before his death are extant, which for true pathos, tender affection to his wife and four infant children, and for resolute determination to lay down his life for the truth, are I believe without their equal in the annals of Martyrology. One extract must suffice. Being pressed to save his life by recantation, he replied, "If my blood were an ocean sea, and every drop thereof were a life unto me, I would give them all for the maintenance of this my confession. Far be it from me that either the saving of an earthly life, the regard which I ought to have to the desolate outward state of a friendless widow and four poor fatherless children, or any other thing, should enforce me by denial of God's truth to perjure mine own soul."† And he would not and did not accept deliverance. Orders were sent immediately to the Sheriff, who proceeded the very same day to hang him at a place called St. Thomas-a-Watering, about two miles from London Bridge on the Kent Road. While Penry was at his dinner the officers came to make him ready, and at the unusual and unexpected hour of four the same afternoon he was put to death, the Sheriff preventing his uttering a few words which he desired to address to the people. The place of his burial is unknown; but

"Though nameless, trampled and forgot  
His servant's humble ashes lie—  
Yet God has marked and sealed the spot,  
To call its inmate to the sky."

I have thus traced the party of the Separ-

\* Harleian MSS. 6849, art. 35.

\* State Papers, Scotland.

† Penry's "Protestation," Lansdowne MSS.



tists, reproachfully termed "Brownists," from the date of the complete establishment of the Church of England, in 1562, to the death of Penry, in 1593. This has been essential to my argument, for it is by these preliminary investigations that we ascertain what were the particular principles of the party to which the PILGRIM FATHERS belonged. I now set out to prove that the exiles who left Leyden and the shores of England in 1620, and of whom *all writers* are agreed in terming "the Pilgrim Fathers," were of the sect of the Separatists, and were, moreover, the direct ecclesiastical successors of the noble men whose acts, principles and suffering have been briefly narrated.

The idea of exchanging persecution and death in England for exile to some foreign shore originated with the martyrs Barrowe and Penry. The former, in 1592, bequeathed a fund to aid the persecuted church *in the event of their "emigration,"* while the latter, in his last letter, urged "the brethren to prepare for *banishment in an unbroken company.*" The term emigration, as it is now understood, does not convey an adequate idea of the alternative to which this persecuted people were reduced. England at that date had neither colony nor permanent settlement on the American Coast. Emigration was then, in fact, expulsion beyond the limits of civilization, and involved not only danger and suffering to all, but inevitable death to a large proportion of the settlers. This was so much the case that up to the time of the exile of the Pilgrim Fathers no American colony had succeeded, though many had been attempted.

Francis Johnson, already referred to as associated with Barrowe and Greenwood, was the first to put exile to the test. Papers lately discovered bring all the circumstances to light. He memorialized Lord Burleigh on behalf of the church in Southwark in 1593, shortly after Penry's martyrdom. No opportunity offered, however, till 1597, and in the interval many found their way to Holland, where toleration prevailed. In the latter year we find "the Brownists, falsely so called," petitioning under that name to the Privy Council to be allowed to go to Canada.\* From the register of the Privy Council it appears that permission was given, but restricted to the Island of Ranea. The voyage proved unavailing, for the poor pilgrims in the ships *Chancewell* and *Hopewell* were not suffered to land.† Some also went to Newfoundland, a fishing station during part of the year only, but these returned also greatly disheartened and impoverished, and, denied a resting-place in England, they also found a home in Holland.‡

Johnson there became their pastor, and Daniel Studley, elder of the church in Southwark, condemned to death with Greenwood and Barrowe, but afterwards reprieved, joined the same Christian Society. They prepared a confession of their faith, and sent copies to the leading universities of Europe.\* Here we have the first links in the chain of evidence which identify the Separatists of Southwark with the exiles in Holland.

John Smyth, a Fellow of Cambridge and a pupil of Francis Johnson, adopted his views, and forms another link in our chain. He was imprisoned in the Marshalsea, and had conference, we are told, with two eminent Puritan divines, Mr. Dod and Mr. Hildersham, who, however, failed to convince him.† (You will notice again the divergence of the views of the Separatists and Puritans.) Being liberated on the ground of failing health he retired to Gainsborough, in Lincolnshire, founded a Separatist church there and became its pastor. A second or branch church of the same faith was also established, meeting in the Manor House of William Brewster, at Serooby, a village in Notts, on the borders of Yorkshire. The church at Serooby was under the care of Richard Clyfton, a Puritan minister who had joined the Separatist party, relinquishing his living at Worksop.‡ Clyfton afterwards retired to Holland, affording another link in the connection we are tracing out. He was succeeded as pastor of the church at Serooby by John Robinson, M.A. This Robinson was afterwards pastor of the church at Leyden, and organized the departure of the Pilgrims from that place to their home in the New World. William Brewster, at whose house the church met at Serooby, was also one of the exiles termed Pilgrim Fathers, and filled subsequently the office of elder amongst them. While pastor at Serooby Robinson received into the little Society there a youth named William Bradford, who also went out as one of the Pilgrim Fathers, became Governor, in course of time, of the Plymouth Colony in New England, and the historian of the Pilgrims, whose MSS. volume, now in the Bishop's Library at Fulham, has established and cleared up many of the facts stated in this address. We have thus three of the leaders of the Pilgrims,—Pastor Robinson, Elder Brewster and Governor Bradford,—connected with the Separatist church at Serooby, the branch of that founded at Gainsborough by John Smyth, of Southwark. That all these

\* *The Confession of Fayth of certayn English People, in Exile in the Low Countreyes.* 1598.

† *Paralleles, Censures and Observations*, 1603.

‡ *Hunter's Founders of New Plymouth*, p. 40. Smyth's *Paralleles*.

\* State Papers, Domestic Series.

† Hakluyt.

‡ Bradford's Dialogues.

men were Separatists from conviction appears from their works and letters still extant. Robinson particularly speaks of the painful struggles which he experienced in breaking from his friends of the Puritan party.\*

One more connecting link between the Separatists of Southwark and the exiles in Holland must be pointed out before we accompany the Pilgrims across the Atlantic. Johnson, of whom we have spoken, when in prison was visited by Henry Jacobs, a Puritan clergyman in Kent, who hoped to convince Johnson of his errors, but who was himself convinced of his erroneous views by the Separatist prisoner. Jacob hoped, with other sanguine men, to obtain, on the accession of James I, permission to practice his religion according to the light of conscience.† But he was soon undeceived; Elizabeth was dead, but the system survived. Being so unwise as to wait upon the Bishop to "argue and reason the matter," as he tells us, he soon found that it was not a matter either for reason or argument, for the Bishop laid hold of him then and there and committed him to the *Clink*. This was in 1605.‡

Bancroft has now succeeded to the Primacy, and the Puritans *within*, as well the Separatists *without* the Establishment, began to feel the weight of his persecuting hand. In 1604 excommunication, with all its attendant penalties, were added to the pains attending nonconformity. Three hundred of the clergy were in one year deprived of their livings. Chamberlain, referring to this period, says, "Our *Puritans* go "down on all sides, and though our new Bishop "of London proceeds but slowly, yet he hath deprived, silenced or suspended all that continue "disobedient."§ I quote this as particularly defining the term "Puritan" as applied at this date to the nonconforming clergy of the Church of England.

Persecution was not relaxed against the Separatists. Bradford, in his journal, informs us how the members of the churches in the North were watched by informers day and night, imprisoned and prevented assembling. "Seeing," he tell us, "themselves thus molested, and that "there was no hope of their continuance there, "by a joint consent they resolved to go into the "Low Countries, where they heard there was "freedom of religion for all men, as also *sundry* "from London and other parts of the land that "had been exiled and persecuted for the same "cause were gone thither, and lived in Amsterdam and other places in that land."||

I must pass over the difficulties, trials and sufferings of these poor people, their oft-attempted escapes and failures. It was more than a twelvemonth before the whole party, with women and children, could elude the cruel vigilance of their enemies. They escaped, from time to time as opportunity offered, from the coast near to the ports of Boston, Grimsby and Hull. Robinson and Brewster, we are told, "were of the last, and stayed to help the weakest over before them."\*\*

Twelve years they spent in Amsterdam and Leyden, not without struggles for maintenance, but enjoying peace in the exercise of their religion, to which they had long been strangers. Robinson became their pastor, Brewster was appointed elder, while Henry Jacob, having been liberated from the *Clink*, joined them and wrote a treatise on Church Government, which again proves incontestably that he, with his associates, were decided and uncompromising Separatists. Time does not admit of my quoting him.

In 1617 we find him again in Southwark, seeking permission for the church there to worship only *privately*, and "not in *public places*," but in vain. The churches in Holland and in Southwark abandoned all hope of toleration at home, and began in earnest to address their thoughts to emigration to some land in which their children would retain their language and nationality with liberty of Christian worship. Negotiations were opened with certain "merchant adventurers" in London who held chartered grants from the Crown of portions of the New Continent: after many difficulties and protracted delays, with many escapes of imprisonment, the terms were settled, and it was arranged that all who were ready should go out under the leadership of Elder Brewster, while Robinson should follow with the remainder of the party at a future day.

The negotiations begun in 1617 did not conclude till 1620. It is no part of my purpose tonight to narrate the history so well known and often written of their eventful voyage. Suffice it to say that a vessel of sixty tons—the *Speedwell*—(not the *Mayflower*, as has been too often carelessly asserted) was purchased in Holland upon receipt of the intelligence that all was ready at London. The Church then, we are told, "held a solemn meeting and day of "humiliation to seek the Lord for his direction." Robinson took for his text 1 Samuel, xxiii. 3, 4—"And David's men said unto him, See we be afraid here in Judah, how much more, then, if we come to Keilah," &c. When the ship was ready they had another day of solemn

\* Robinson's Works, vol. ii., pp. 51, 52.

† *Reasons, &c.*, pref. p. 2.

‡ Lambeth MSS.

§ Letter dated Feb. 26, 1605.

|| *Of Plimoth Plantation*, Fulham MSS.

\* *Of Plimoth Plantation*, Fulham MSS.



humiliation, their pastor speaking to them from Ezra viii. 21—"And there at the River by Ahava I proclaimed a fast, that we might humble ourselves before our God, and seek of Him a right way for us and for our children and for all our substance." "The time being come to depart," Bradford tells us, "they were accompanied by most of their brethren to a town sundry miles off, called Delft Haven, where the ship lay ready to receive them. So they left that goodly and pleasant land at Leyden, which had been to them their resting-place twelve years, *but they knew that they were PILGRIMS*, and looked not much on those things, but lifted up their eyes to the heavens, *their dearest country*, and quieted their spirits."\*

The *Speedwell* arrived safely at Southampton, where it fell in with the *Mayflower* with the party from London, and both vessels put into Plymouth. The *Speedwell* was here found to be unseaworthy, and the whole party of 101 Pilgrims, with the crew, sailed on the sixth of September in the *Mayflower*, a vessel of 180 tons burden.

On the ninth of November, 1620,—while the Lord Mayor of this City was feasting his guests at his inaugural banquet, while the wounded were being cared for and the dead buried who had been slain in the battle of Prague,—this little, solitary, adventurous vessel on its peaceful errand, freighted with the seed of a future nation, unheeded by human eye, but not unregarded by Him who "sees the end from the beginning," sighted Cape Cod, on the coast of Massachusetts, a shore covered with snow and formidable with shoals and breakers. On the eleventh of November the Constitution of the future Colony was signed by all the party in the cabin of the *Mayflower*. On the fifteenth the vessel found safe anchorage in Plymouth Bay, so named from the port of departure in England. On the twentieth of December (Forefathers' Day of the Americans) the wearied, storm-tossed party found rest, landing on the well-known Plymouth Rock, "The door-step into a world unknown,—the CORNER-STONE OF A NATION."†

"The breaking waves dashed high  
 "On a stern and rock-bound coast;  
 "And the woods, against a stormy sky,  
 "Their giant branches tost.  
 "And the heavy night hung dark,  
 "The hills and waters o'er;  
 "When a band of exiles moored their bark  
 "On the wild New England shore.

"Not as the conqueror comes,  
 "They, the true-hearted, came;  
 "Not with the stirring roll of drums,  
 "And the trumpet that sings of fame.

"Not as the flying come,  
 "In silence and in fear;  
 "They shook the depths of the desert gloom  
 "With their hymns of lofty cheer.

"Amid the storm they sang,  
 "And the stars heard, and the sea;  
 "And the sounding aisles of the dim woods rang  
 "With the anthem of the free.  
 "The ocean eagle soared  
 "From his nest by the white waves' foam,  
 "And the rocking pines of the forest roared—  
 "This was their welcome home.

"There were men with hoary hair  
 "Amid that pilgrim band;  
 "Why had they come to wither there,  
 "Away from their childhood's land?  
 "There was woman's fearless eye,  
 "Lit by her deep love's truth;  
 "There was manhood's brow serenely high,  
 "And the fiery heart of youth.

"What sought they thus afar?  
 "Bright jewels, or the mine?  
 "The wealth of seas, the spoils of war?—  
 "They sought a faith's pure shrine!  
 "Ay, call it holy ground.  
 "The soil where first they trod:  
 "They left unstained what there they found—  
 "FREEDOM TO WORSHIP GOD!"\*

But did they, as the poet sings, "Leave unstained what there they found—Freedom to worship God?" This is the question to be next determined, and as poets, as well as historians, make sad havoc of facts, I proceed to prove, by the light of original and extant documents, that the Pilgrim Fathers remained faithful to their principles.

But first allow me to digress, briefly to allude to a remarkable letter from John Smyth, addressed to the church at Scrooby, of which he was pastor. In it he addresses to them words which, by the light of subsequent events, we may almost regard as prophetic. "You are 'few in number,' he writes, 'yet, considering that the Kingdom of Heaven is as a grain of mustard seed, small in the beginning, I do not doubt that you may in time grow up to a multitude, and be, as it were, a great tree full of fruitful branches.'‡

The fact is sublime, and calculated to attract the attention of the world *some day*, that a few poor persecuted villagers and humble worshippers at Scrooby, who would have gone to their graves in silent obscurity had not persecution driven them into unconscious fame,—that three of them, at least, Robinson, Brewster and Bradford, became the *founders of a nation of thirty millions of free worshippers*. The United States of America may well be termed a "great tree full of fruitful branches;" truly "the little one has become a thousand, and the small one a strong nation."

\* Mrs. Hemans.

† A letter written to certain brethren in S—, by John Smyth.

\* Bradford's *Plymouth Plantation*.  
 † Longfellow.



And here, let me say, my American hearers, who have honoured me by your attendance to-night: here is the fountain-head, or one chief fountain-head, of all your greatness. This remote hamlet of Nottinghamshire, adjacent to the borders of Yorkshire, which now echoes to the whistle of the Great Northern Railway, —here, in the Old Manor House of Serooby (the outline of whose moat may still be seen from the platform of the station), this ancient hunting-seat of the Archbishop of York, the resting-place of Queen Margaret of Scotland, daughter of Henry VII, on her journey to Scotland in 1503,—here, where disappointed Wolsey retired after his fall, to discover too late that fidelity to God brings a higher and more certain blessing than the most devoted fidelity to an earthly king,—here, where Wolsey's royal rival, Henry, passed a night in 1541,—here, where James the First solicited of the Archbishop "that he might take his royal pastime in the Forest of Sherwood,"—in this very Manor House, or in one of its offices, met the simple, humble Separatist worshippers, Robinson, Brewster and Bradford, the leaders of the Pilgrim band, the founders of the civil and religious liberties of America. I had the honour to lay, a few years since, the memorial stone of a building in Southwark, for the use of the church, the successors of the Separatists of the sixteenth century, on a spot closely adjacent to that on which Penry was martyred. To that memorial building grateful Englishmen and Americans contributed. Would it not be appropriate, let me ask, if some humble but serviceable memorial were erected on the site of the Manor House at Serooby, to which Americans, in future days, when the sublime story is re-written, and they shall become better acquainted with their own antecedents, might direct their steps as to a shrine sacred to them as the tomb of Washington, who gave them Independence, or as the grave of their Martyr President, who preserved them from dismemberment and proclaimed liberty to the slave?

But to return to my argument—the Pilgrim Fathers were Separatists; did they retain their principles or repudiate them on their arrival in the New World? Did they, as the Poet has asserted, "Leave unstained what there they found, Freedom to worship God"? The probabilities of the case would certainly lean to the side of that conclusion. If they had clung to their principles through persecution, suffering and the loss of all things, it would be *improbable in the extreme* that they should repudiate their most cherished convictions upon crossing the Atlantic. True it is that human nature is often inconsistent; but not that part of it which has passed through the crucible of trial and the

furnace of suffering for the sake of principle. "Can gold grow worthless that has stood the touch"? No; there is a *primâ facie* difficulty in the outset in believing that the Pilgrim Fathers persecuted for conscience' sake. Bear in mind also that "had they been mindful of that country whence they came out they might have had opportunity to have returned." The *Mayflower* stood in the harbour with sails flapping for many a week; just one half of the party died during the first winter from privation and exposure, but no one returned.

"Oh, strong hearts and true! not one went back in the  
*"Mayflower!"*  
 "No, not one looked back who had set his hand to that  
*"ploughing."\**

*Home, friends, native country, comfort, the world's applause*—all might have been theirs had they changed their opinions, had they abandoned their principles. One, we hear of, returning to transact some business in England, and he was imprisoned on landing, and kept close prisoner for seventeen weeks; why endure this if he had been prepared to abandon views which he found untenable? The charge that the Pilgrim Fathers persecuted is as *unreasonable* as it is *un-historical*, and about as probable as that the Friends should upon landing have entered into a military convention with the other colonists for the extermination of the Indians, or that the Jesuits should have established a Society to send the Scriptures to the people in their native tongue. Had no other course been open to me, I should have been well content to rest my case upon this *a priori* argument, and to have thrown upon any opponent the onus of producing one word of original or contemporaneous history in support of his opinion. I am not, however, reduced to this course, having original documentary evidence of a positive character that is perfectly conclusive that what the Pilgrims were upon landing, that they remained, through evil report and good report; that when charged with their Separatist views they did not abjure them, although they repudiated the term of reproach; that in an age when the majority of men were persecutors in heart and practice, they held aloof from and reprobated such practices, that they sheltered and acted kindly towards the persecuted, Roger Williams included; and that when they, the Pilgrim Fathers, were laid in their graves, and the Friends arrived in New England, their sons and successors were advocates of toleration and supporters of the Friends. The evidence is voluminous; the only difficulty I experience is in reference to selection and

\* Longfellow.

condensation, so as to bring the subject within the compass of this address.

I have failed to find any writer who, until very recent times, say the present century, has given currency to the allegation which I am engaged to disprove—That the Pilgrim Fathers of Plymouth persecuted for conscience' sake. I have been referred to Sewell's *History of the People called Quakers*, but he does not affirm the matter in question; indeed, if we regard his chronology as correct, he acquits the Pilgrim Fathers of any share of the persecutions alluded to. He was evidently little acquainted with religious parties *outside* the Society, whose history he records, so that his statements upon this point are worthless, either for condemnation or acquittal.

Speaking, as I do, before members of the Society, I must devote a little time to his statements, which, under other circumstances, I should pass by as of no weight in regard to this matter.

In Sewell (vol. i. pp. 6, 7) I find the following:—

"The bishops under Queen Elizabeth were content with the Reformation made by Cranmer, yet it pleased God, in the year 1568, to raise other persons that testified publicly against many of the remaining superstitions; and although Coleman, Burton, Hallingham and Benson were imprisoned by the Queen's order, yet they got many followers and also the name of Puritans. And notwithstanding the archbishop, to prevent this, drew up some articles of faith, to be signed by all clergymen, yet he met with great opposition in the undertaking: for one Robert Brown, a young student of Cambridge (from whom the name of Brownists was afterwards borrowed), and Richard Harrison, a schoolmaster, published, in the year 1583, some books wherein they showed how much the church of England was still infected with Romish errors; which was of such effect that the eyes of many people came thereby to be opened, who so valiantly maintained that doctrine which they believed to be the truth, that some of the most zealous among them, viz. Henry Barrowe, John Greenwood and John Penry, about the year 1593, were put to death because of their testimony, more (as may very well be believed) by the instigation of the clergy, than by the desire of the Queen. \* \* \* \* \*

"After the death of Queen Elizabeth, when James I. had ascended the throne, the followers of those men suffered much for their separation from the church of England: but very remarkable it is, that even those of that persuasion, of which many in the reign of King

*Charles I.* went to New England to avoid the persecution of the bishops, afterwards themselves turned cruel persecutors of pious people by inhuman whippings, &c., and lastly by putting some to death by the hands of a hanging man."

A more involved and illogical statement was never penned. I must devote a few minutes to its dissection.

The writer first enumerates certain reformers in the Church of England—to wit, Coleman, Burton, Hallingham and Benson; he states, truly enough, that they got the name of "*Puritans*," that they drew up articles of faith to be signed by "*Clergymen*": all this is quite true, and he might have added that which I supply from their Petition to the Privy Council, in which they say of the "*Brownists*" or "*Separatists*," "*We abhor these and we punish them.*"\*

Sewell then goes on to enumerate correctly other sufferers for conscience' sake, beginning with Brown (from whom he says the term "*Brownist*" was borrowed), Richard Harrison, Henry Barrowe, John Greenwood and John Penry; he tells us further that the three latter were put to death about 1593 by the instigation of the clergy, more than by desire of the Queen, that their followers in James's reign suffered much for their "*separation*" from the Church of England. All which is perfectly true.

We have here, then, *two* distinct parties; one of them described as "*Puritans*" and "*Clergymen*," imprisoned for desiring reform in the Church of England, temp. Elizabeth; another party executed in the same reign for "*separation*" from that Church, and treated with severity in the reign of James I.

Here are the premises; now then for the conclusion, "but very remarkable it is that even those of *that* persuasion who went out in *Charles the First's* reign persecuted by whipping and hanging."

"*Those of that persuasion*!" WHICH persuasion? *This is the very question.* Sewell does not tell us, and it is evident that he did not know the difference between the two persuasions enumerated, and that the one "*abhorred*" the other and "*punished*" them, even to death, and had done so for half a century. Could these persons of undecided persuasions be the Pilgrim Fathers? Certainly not, according to Sewell, for the Pilgrim Fathers emigrated, according to every authority, in 1620 (eighteenth year of James the First), while Sewell tells us that it was "*persons of that persuasion*" "*who went out in the reign of Charles the First*" who persecuted by whipping and hanging. He

\* *Parte of a Register*, p. 129.



acquits, therefore, the Pilgrim Fathers, for those who emigrated in James's reign could not be those who came to New England in the following reign. The truth is, however, that Sewell, however reliable an authority he may be as regards the Society of Friends, evidently did not know and failed to notice that he was writing of *two perfectly distinct religious parties*, and ignorantly confounding these parties, draws conclusions which are historically worthless. I may remark that Sewell wrote in Holland, in low Dutch, of events which happened in England and America, and was probably in no position to speak from original documents, excepting such as were supplied by the Society of Friends. From some such involved history it is probable that the whole confusion of dates and parties has arisen.

The facts, so far as they can be compressed into a paragraph, are these. The colony of Virginia (South) was first attempted by settlers exclusively EPISCOPAL. But that settlement resulted in a total failure. The Pilgrim Fathers landed at Plymouth in 1620 (18th James I.), and they were, as I have shown, SEPARATISTS or BROWNISTS. The THIRD colony or settlement was that planted at Salem and Boston, Massachusetts, by PURITANS in 1630 (5 Charles I.), that party having in turn come under the persecuting hands of the English Prelates, Bancroft and Laud. It was these *Puritans* of Massachusetts or Boston who passed the Acts against the Quakers, and were guilty of cruel intolerance, which has been ignorantly charged to the account of the Pilgrim Fathers.

I now proceed to prove that the Pilgrim Fathers of Plymouth *remained Separatists*; that they neither repudiated the term nor relinquished their principles; that they received Roger Williams into their Church, and sheltered and helped him; that they had gone to their graves before the first of the Friends came to New England, and therefore had no opportunity (in the flesh at least) of persecuting them, and that their successors—some of them, at all events—inherited their principles and advocated toleration of the Friends.

And, first, as to the Pilgrim Fathers retaining their Separatist views. The colony of Plymouth was dependent greatly upon the "Merchant Adventurers" of London, who were of the State religion, no other being tolerated. From a correspondence which survives we learn that the Pilgrims were directly charged by the Merchant Company with holding Separatist views.\* A letter written by Mr. Sherley, one of the merchants, dated the twenty-fifth of January, 1625, states that charges had been

brought against the colonists that they allowed "diversity about religion"; they replied, "We know no such matter, for there was never any controversy or opposition, either public or private, to our knowledge, since we came." But what was the religion on which all were agreed? In the same year, another letter charges them "with receiving a man into their Church that in his confessions renounced universal, national, and diocesan Churches, by which (say they) it appears that, though you deny the name 'Brownists,' yet you practice the same, and therefore you sin against God in building up such a people." The Adventurers demanded that they should conform to their views of governing the colony; that the "French discipline" (whatever that may have been) should be practiced, and "that Mr. Robinson and his company at Leyden should not be allowed to join them, unless they would reconcile themselves to the Church by a recantation under their hands." This recantation was never forthcoming. Mr. Sherley wrote again at this juncture, and tells the colonists that a party of the merchants "were for a full desertion and forsaking of them," and he adds, "it is pretended that you are 'Brownists,' and he abjures them to leave their 'evil views.'" This advice, though well intended, was not adopted. Through good and evil report they held to their principles.\*

We must now turn our attention to the Massachusetts colony. Finding the colonists of Plymouth to be holding their ground, after eight years' struggles, the Puritan party in England, who had now come in turn to experience the rigors of persecution, formed a large company in 1628. The first fleet of three vessels left the Isle of Wight in May, 1629. There can be no question as to their religious views, for in their farewell address they say, "We do not go to New England as SEPARATISTS from the Church of England, though we cannot but separate from the corruptions in it."† Some, however, of the Separatists found a passage in their ships and joined their friends at Plymouth, and an outcry was accordingly raised against the company. John White, promoter of the Company, in 1630, found it necessary to meet the charge thus raised: "I persuade myself," he says, "there is no Separatist known unto the Governor, or if there be any it is far from their purpose, as it is far from their safety, to continue him among them." In the course of the voyage it was discovered that Ralph Smith, a minister who had adopted Separatist views, was on board. Cradock writes on behalf of the

\* Bradford's *Plymouth Plantation*.

\* Bradford's *Plymouth Plantation*.

† Cotton Mather's *Magnalia*, Book III, Part II, Chap. I.



Company to the Governor, Endicott, April 17, 1629, "Passage was granted to him (Smith) before we understood his difference of judgment "in some things from our ministry, and though "we have a very good opinion of his honesty, we "give you this order, that unless he will be conformable to our government, *you suffer him "not to remain within the limits of your grant.*" Here is the first persecuting edict, and it is directed against a *Separatist* minister by a *Puritan* Company.

Ralph Smith was kept for a long time in isolation—a sort of spiritual quarantine. Now mark the different treatment he received from the Pilgrim Fathers of Plymouth. Bradford, the Governor, writes, "There was one Ralph "Smith and his wife and family that came over "into the Bay of Massachusetts, and sojourned "at present with some straggling people that "lived at Nantuckett." Bradford then says Smith was reduced to great straits, and had requested a passage to Plymouth and shelter there, and adds, "he was here *accordingly kindly "entreated and honoured,* and had the rest of "his goods sent for, and exercised his gifts "among us, and afterwards was *chosen into the "ministry,* and so remained many years."<sup>\*</sup> Hubbard, an early historian of New England, says, "He, Smith, approved the rigid way of "*Separation* principles."

We now come in chronological order to the case of Roger Williams. He arrived in the ship *Lyon* at Boston on the fifth of February, 1630-31. He was from Wales, a Separatist; he held Baptist sentiments for a time, and then relinquished them. We should classify him, according to the language of the period, as "Separatist Anabaptist." He was no member of the Society of Friends; indeed no more uncompromising opponent of some of their views ever existed, but he was no persecutor, although Fox charges him with being one. When George Fox subsequently visited New England, Williams sent him a challenge to meet him in argument upon fourteen several points. Fox had sailed before the challenge reached him, but he replied in a letter, which is extant. These documents I shall not quote; they reflect too much the spirit of bitter partizanship which then characterized religious controversy; besides, I consider that Williams unfairly, and untruly speaks of some of the views of the Friends, and Fox altogether mistook his man when he called Williams a bloody persecutor. It is foreign to my purpose to contend as to the particular views of Williams. I entirely endorse the glowing eulogy pronounced upon him by Edward Newman, at a previous evening.

He was a man of whom the "world was not "worthy." He belongs to the Church of Christ—to Friends and to Separatists and to Baptists alike. He held the principles of church polity which are common to the free churches, and it will be enough to say of him that he is doubtless a member of that "Church of the First Born "whose names are recorded in Heaven."

Let us gather from his own pen what he was in reference to the Pilgrim Fathers of Plymouth. In a letter addressed by him, late in life, to John Cotton, of Plymouth, he says, "In "New England, being unanimously chosen "teacher at Boston before your dear father "came, divers years, I conscientiously refused, "and I withdrew to Plymouth, because I durst "not officiate to an UNSEPARATING people, as "upon examination and conference I found them "(i. e. of Boston) to be."<sup>\*</sup>

This is conclusive, he was Separatist in his views, and could not minister to an unseparating church, such as that established at Salem or at Boston, and he withdrew to a more congenial religious society of the Plymouth colony. This is confirmed by what follows. The church at Salem, originally a Puritan settlement, having advanced under the direct influence of the Pilgrim Fathers, to Separatist views, invited R. Williams to become their pastor. Winthrop, Governor of Massachusetts, in his Journal of the twelfth of April, 1631, informs us how the Boston Council opposed the arrangement: he says, "At a court holden at Boston "(upon information of the Governor that they of "Salem had called Mr. Williams to the office of "a teacher), a letter was written from the court "to Endicott to this effect, that whereas Mr. "Williams had refused to join with the congregation at Boston because they would not make "a public declaration of their repentance for "*having communion with the Church of England* "while they lived there; therefore they married they would choose him without advising with the Council; and withal desiring "him that they would forbear to proceed till "they had conference about it."<sup>†</sup> The church at Salem, notwithstanding this dictation, received Mr. Williams. He was, however, obliged to retire from Salem before the opposition of the Boston Council. Where did he retire to? To the Pilgrim Fathers' colony at Plymouth, where he was received with marked respect and kindness, and he became assistant to Ralph Smith, who had been driven out before him by the Puritan colonists. Governor Bradford, in his Journal, says, "He, Williams, was freely en-

\* Original Letter in MSS. of Massachusetts Historical Society.

† Winthrop's *History of New England*.

\* Bradford's *Plymouth Plantation*.

"tertained amongst us, according to our poor ability, exercised his gifts amongst us, and "after some time was admitted a *member of the Church*, and his teaching was well approved." This does not look like persecution. A diversity of sentiment, however, afterwards occurred, and, at Williams' own desire, he returned to the church at Salem. Bradford, under date 1633, says, "This year Mr. Williams began to fall "into some strange opinions and from opinions "to practice, which caused some controversy "between the church and him, and in the end "some discontent, *on his part*, by occasion "whereof he left us somewhat abruptly. Yet "afterwards sued for his dismission to the "church at Salem, which was granted, with "some caution to them concerning him."\* The opinions of R. Williams referred to were, as we shall see, political rather than religious; indeed, he called in question the right of the Crown to the soil of the colonies—an opinion which, if put into practice, would now as then justify a charge of high treason. It must be stated, moreover, that just at this juncture (1633) Archbishop Laud, who had heard of the successful planting of the Separatist and Puritan colonies, determined to break them up by force of arms. Orders of the Privy Council were issued to detain the ships about to depart from England. Sir Simon D'Ewes, in 1634, says, "There was a consultation had to send thither "(New England) a *thousand soldiers*; a ship was "then building and near finished;" and he tells us further, "there was much fear amongst the "godly lest their infant Commonwealth should "have been ruined."† Edward Winslow, one of the Pilgrims, visiting England at this date, was thrown into prison for seventeen weeks on account of his religious practice in the colony. Such dangers threatening from England, it can well be understood that the colonists would be careful to give no good ground of offence to the civil rights of the Crown; hence the caution to the church at Salem respecting the political opinions held by Williams, whilst they remitted him to them as a christian brother with whom they had been on terms of amity, and of whom they afterwards spoke with love and affection. After much conflict with the Massachusetts authorities on various points, Roger Williams was ordered to *depart out of their jurisdiction*, September 3, 1636. He was allowed, however, to remain until the following spring, when Williams proposed to form a settlement at Narragansett Bay. The Boston authorities did not consider him safe at that distance, and gave orders to ship him to England—an unwarranta-

ble act of intolerance, considering that they themselves were fugitives from persecution at home. How did the Pilgrim Fathers regard and treat Williams at this juncture? Winslow, one of them, writes on this occasion, "I "know that Mr. Williams, though a man *lovely "in his carriage, and whom I trust the Lord will "yet recall*, held forth on the unlawfulness of "our letters patent from the King, and would "not allow the colours of our nation."\* He regrets his political views, particularly dangerous to the infant colony at this crisis, but he has nothing but kindly words as to his character, and trusts in God to recall him. Roger Williams confirms this under his own hand. From Seekonk (Rehoboth) he writes, "I received a letter from my ANCIENT FRIEND Mr. "Winslow, the Governor of Plymouth, *profess- "ing his own and others' love and respect for me*, "yet LOVINGLY *advising* me, since I was fallen "into the edge of their bounds, and they were "loth to displease the Bay (the colony of Massachusetts), to remove to the other side of the "river, and there, he said, I had the country before me, and *I might be as free as themselves*, "and we should be *loving neighbours together*."‡ This was good as well as kind advice, and promoted peace and resulted in security and freedom to R. Williams. In another letter Williams informs us that the good offices of Governor Winslow did not stop at good and kind advice; he writes, "That great and pious soul "Mr. Winslow melted, and kindly *visited* me at "Providence, and put a piece of *gold into the "hands of my wife* for our supply."‡ Beyond this expression of desire for the sake of peace with their neighbours of the Bay, that Williams would cross the river to found his new settlement, there is not one word of MS. history which can be construed into an act of persecution or unkindness on the part of the original settlers of New Plymouth, while, on the other hand, Williams ever speaks gratefully of the kind treatment and loving advice which the Plymouth colonists extended to him.

We now come, in chronological order, to the alleged persecution of *The Friends* by the Pilgrim Fathers,—an allegation which, but for the wide-spread credit it has obtained amongst the members of a truth-loving Society, I should treat with the disrespect which it deserves. Williams was a contemporary of the Pilgrim Fathers in New England, the Friends were not. Persecution of the Friends by the Pilgrim Fathers was chronologically impracticable. George Fox, a good authority on such a point,

\* Winslow's *Hypocrisy Unmasked*, &c.

† Roger Williams' Letter to Major Mason, in *Mass. Hist. Coll.* i. 276.

‡ *Ibid.* 275.

\* Bradford's *Plymouth Plantation*.

† *Autobiography and Correspondence of Sir Simon D'Ewes, Bart.*, ii. 118.

says, "In 1655, many went beyond sea, where 'truth also sprung up; and in 1656 it broke forth in America.'"<sup>\*</sup>

It will be seen that this was thirty-five years after the landing of the Pilgrim Fathers in 1620 (a date which cannot be shaken). In 1656 every leader of that party whose name history has recorded was in his grave. John Carver, first Governor, died in 1621; John Robinson died in 1625; Samuel Fuller in 1633; Elder Brewster in 1643; Edward Winslow (Williams's friend and correspondent) died in 1655; Myles Standish in 1656, and in the same year William Bradford, of Scrooby, historian of the party, closed his career, in the sixty-ninth year of his age, in the very year in which George Fox says that the truth held by the Friends broke forth in America. At this date great changes had taken place in New England. Plymouth was no longer an independent colony, but only one of a Confederation of the four New England settlements of Plymouth, Massachusetts, Connecticut and New Haven, and we now come in order to enquire whether the successors of the Pilgrim Fathers, who had now passed off the scene, forgot the religious principles of their fathers. I am not called to prove this, but it is very satisfactory to find that some of the sons and successors of the Pilgrim Fathers suffered obloquy and made sacrifices for their hostility to the persecuting acts of the Council in relation to the Friends.

Isaac Robinson, son of John Robinson, pastor of the Pilgrims at Leyden, was disfranchised for his opposition to the laws against the Quakers in 1659, and removed from his place in the government of Plymouth colony. At the period at which we have now arrived, an important branch settlement and church of Separatists had been formed at Scituate, near to Plymouth. This settlement was formed of members of the Separatist Church in Southwark, under Henry Jacob, to whom we have had occasion to refer. It was joined in 1634 by John Lothrop, also pastor of the Southwark church, and on his arrival at Scituate some of the Plymouth colonists went to join them. They are known in the Colonial History as "the men of Kent." Amongst those who joined and befriended the church at Scituate, we find Isaac Robinson, just referred to, also Timothy Hatherley and James Cudworth. The church was accustomed to meet at the house of the latter. I have said that Isaac Robinson suffered disfranchisement and removal from office for befriending the Quakers; Cudworth and Hatherley also suffered from the same cause. Cudworth was assistant to the

Governor in 1656-8, and a Commissioner of the United Colonies in 1657. In 1658 he fell under the displeasure of these Commissioners, "because he would not set his hand to the laws which had been propounded to the several Courts to be enacted against the Quakers." He was left out of the magistracy and Board of Commissioners and deprived of his military command. In 1659, being returned as a Deputy by the town of Scituate, the Court rejected him. A letter of his, in 1658, shows plainly what were his sentiments. "The anti-christian and persecuting spirit," he says, "is very active, and that in the powers of the world. He that will not lash, persecute and punish men that differ in matter of religion must not sit on the bench nor sustain any office in the Commonwealth. Last election," he adds, "Mr. Hatherley and myself were left off the bench and myself discharged my captainship because I entertained some of the Quakers at my house that I might thereby be the better acquainted with their principles. But the Quakers and myself cannot close in divers things, and so I signified to the Court; but I told them withal that as I was no Quaker, so I would be no PERSECUTOR."<sup>\*</sup> He then narrates how for two whole years he had been in opposition to the ruling powers on behalf of the same cause, and describes feelingly the sufferings of the Friends, which he says "sadden the hearts of the precious saints of God."

James Bowden, in his *History of the Friends in America*, bears testimony to the noble conduct of Cudworth and Hatherley, particularly in reference to their protecting three members of the Society, William Brand, John Copland and Sarah Gibbons. Hatherley, as a magistrate, furnished them with a free pass to protect them on their way.

#### CONCLUSION.

My task is accomplished. I have shown, as well as I knew how, and so far as time has permitted, that the Pilgrim Fathers and their precursors in England, Holland, and at Plymouth, were Separatists, and had no connection with the Puritans, who subsequently settled in New England, at Salem and Boston, in Massachusetts; that the principles and practices of the two parties, confounded by some careless writers, differed essentially. The Separatists ever contending for freedom of conscience and separation from the powers of the State, while the Puritans remained in connection and communion with the State Church, and held both in England and New England that

<sup>\*</sup> Fox's Journal.

<sup>\*</sup> History of Scituate, p. 246.



the State should be authoritative in matters of religion. Hence the anti-christian and intolerant acts of the Puritan colony to the Separatists, Ralph Smyth, Roger Williams, Isaac Robinson, John Cudworth and Timothy Hatherley. Hence, also, on the arrival of the Friends, the cruel laws for whipping, banishing and executing for matters of religious faith and practice. I have shown that the Separatist colony of Plymouth had no share in this intolerant conduct during the lives of the Pilgrim Fathers, and, moreover, that they acted kindly, and received into their church both Smyth and Roger Williams when forbidden to worship freely elsewhere; and that after the death of the Pilgrim Fathers, some of their sons and successors, acting up to their principles, shielded the Friends, and refused to be parties to the persecuting laws then enacted. This last point I was not pledged to support by proof, but I felt it due to the noble men of whom I have been speaking to show that they left some noble successors behind them.

It may interest you to know that two eminent historians, recently deceased, virtually admitted the truth of that which I have to-night affirmed. I refer to Lord Macaulay and Earl Stanhope (Lord Mahon), who as Commissioners for decorating historically the House of Lords, were appealed to respecting an erroneous inscription placed under Mr. Cope's painting of the Pilgrim Fathers landing in New England. The inscription stood "Departure of a *Puritan* Family for New England," but after listening at the proofs submitted, and hearing Mr. Cope, who stated that he had taken his ideas from Bradford's *Journal*, the Commissioners ordered the terms "*Puritan Family*" to be removed, as unjust to the memory of the parties concerned, and substituted the words "PILGRIM FATHERS."

It may be objected "this is merely a question of names, dates and localities; that if the Pilgrim Fathers did not persecute, the Puritan colony of Massachusetts did." It is, however, a question of graver importance than this; even of *truth, justice and principle*. It is due to truth itself that truth should be spoken, if ascertainable, upon every subject. It is due to the parties concerned that justice should be done to their memories; it is just, moreover, to their ecclesiastical successors to this day, and to the end of time. It is due to the high and sacred principles involved that they should be rightly stated—for ourselves, our children, and our children's children, will either learn or unlearn right principles as they are placed truly before them, or withheld from their observation. It is due also upon the common ground of justice from man to man. History

which confounds right and wrong, the persecutor with the persecuted, is not only unjust, but worthless. History so written would confound the slaveholder with the enslaved; indeed would treat as one and the same, the rabble of priests, scribes and soldiers, which clamoured for the crucifixion of our Lord and the small weeping band of sympathisers who surrounded his cross. Religious history which does not accurately and justly discriminate between not *men only* but their *PRINCIPLES*, had better never have been written.

The question is of grave importance to you, my friends, who listen to me to-night. The struggle commenced at the Reformation is not yet over; indeed, in some respects, it has hardly yet begun in some of the countries of Europe. The Society of Friends, in common with all who virtually hold Separatist views, are awakening to the fact that those great religious questions opened in the Tudor and Stuart period, are reserved for final settlement in our day. America—thanks to the Separatists and the Friends—has led the van, and Europe must soon follow; but if our ecclesiastical trumpets give forth uncertain confused and conflicting sounds, who shall prepare himself for the struggle? "Europe," says the late Abbott Lawrence, United States Ambassador to this country, "Europe has begun to study 'the principles of the Pilgrim Fathers;' *well but what were those principles?* This is the question—Were they the principles of a church claiming to be dominant and exclusive, and to hold authority over the minds and consciences of men, placing earthly rulers on the throne of spiritual supremacy? or were they the principles of churches which know no king but Christ, no law but His word, no teaching but that word as it shall be applied to *each man's conscience* individually by the influence of the Holy Spirit? churches which repudiate human authority, however august, whether of kings, councils or parliaments? churches which hold that while the most devoted loyalty is due to civil rulers, loyalty to Christ demands that He should be Lord of conscience? churches which, in short, "render unto Caesar the things which are Caesar's, and unto God the things which are God's?"

Are not these two systems sufficiently distinct to render justice to their professors and founders an act of fairness and christian duty? If they be not sufficiently distinctive to render such justice incumbent upon all of us Separatists of the present day (by whatever name we be termed), then it follows as a necessary consequence that we are not justified in our separation from the churches established in this or any other land by the authority of the Law.

I have long known and respected many of those in whose Institute I have the honour to speak to-night, and although I see not with them in all things, yet it has long been my privilege to work with them in various philanthropic departments—for elevating the down-trodden, reclaiming the drunkard, shielding the oppressed, and freeing the slave. My grandfather was first treasurer of the Peace Society formed in this city; and from his and my own experience of the Friends and their history, I have come to regard them as amongst the most uncompromising and indomitable of the advocates of truth and right. The banner of free conscience and free worship, first openly unfurled by the Separatists in the Tudor period and carried through all the bloody struggle, was also grasped and upheld by the Friends in the time of the Stuarts, and the two parties, side by side, both in England and America, have ever since lifted it higher and higher, and have rallied under it an *ever-increasing host*, till this day.\* And there are yet grander triumphs reserved for the allied bands. Thirty millions of free worshippers across the Atlantic, as equal, religiously, before *men* as they are before God, beacon us to imitate and to emulate their example. To do so efficiently we must keep clear our views of truth and right, and we must be just to those who taught us our principles, having tested them in the furnace of suffering; and our course shall be distinct, our conduct consistent, and our alliance efficacious and enduring, and the God of truth and right will second our humble endeavours and give to all the Churches of His Son, as at the beginning, freedom, equality, true fraternity and peace. AMEN.†

### III.—SUGGESTIONS FOR A CONSTITUTION FOR THE STATE OF NEW YORK.

By EGBERT BENSON AND RUFUS KING.

From the original manuscript in the possession of M. M. Jones, Esqr., of Utica, N. Y.†

1. That the exception of Murder out of the general Power to the Governor to grant pardons to persons convicted of crimes shall cease

2. That the Article in the Constitution whereby Ministers of the Gospel or priests of any denomination may not hold any civil or military office shall cease—

3. That the office of Lieutenant Governor shall cease and the Senate shall choose their own Speaker—

4. That in case of vacancy of the Office of Governor the Legislature shall forthwith convene [*in such manner as shall be provided for by law*] and a quorum of both houses appearing, they shall form themselves into a joint meeting and having adjudged that a vacancy has happened they shall proceed to elect by Plurality of Votes, by Ballot, a Governor for the residue of the period for which the Governor last in office was elected

5. That every Male Citizen of the United States of full age resident within this State, and who shall have had his home or place of abode in the town, ward or other place where the election shall be held for the space of one whole year [*Eleven Calendar months*] immediately preceding it shall be entitled to vote at every election for public officers within this State—

6. That the Governor shall be elected for four years—

7. That the provision in the Constitution for dividing the Members of the Senate into Classes shall cease, and the Seats of all the Members shall become vacant on the same day in every fourth year—

8. That the Members of the Assembly shall be elected for two years—

9. That it shall always be in the discretion of the two Houses, having met during the first of the two years for which the Members of the Assembly shall have been elected, whether they shall by a special adjournment over, meet again during the second year—

10. That the Legislature shall cause the State to be divided into districts equal in number with the Members of Assembly to be denominated *Assembly Districts*, and also into districts equal in number with the Members of the Senate to be denominated *Senate Districts* and the Several Districts to contain an equal number of Electors, as near as may be; and a Member of Assembly shall be elected in each Assembly District, and a Member of the Senate in each Senate District.

11. That the Legislature shall at certain periods of not less than ten, nor more than fifteen, years, cause a Census of the Electors to be taken, and thereupon if appearing requisite to a due Apportionment of the Representation in the Legislature cause the State to be divided into Districts anew

12. That the period for which a Chancellor, or Judges of the Supreme Court or first Judge of

\* Dr. Vaughan, in the *British Quarterly Review*, October, 1865, estimates the number of Churches in England, America and the Colonies which may be termed "Congregational," or self-governing, at over 30,000. If he had included in his enumeration other churches, which, although not congregational, are yet free from State control, such as the Free Episcopal and Presbyterian Churches in America, Scotland and the British colonies, the number of free churches would probably reach 50,000,—far out-numbering those which are dependent upon and subject to the powers of the State.

† In the original, the body of the paper is in Mr. Benson's hand-writing, while Mr. King's suggestions are interlined. In this copy, the latter are in Italics and enclosed in brackets.—Ed. Hist. Mag.



the County shall hold his office shall be extended to seventy years of age—

13. That the Legislature may in their discretion from time to time divide the State into Districts to be denominated *Judicial Districts*, assigning a Court of Chancery and a Supreme Court with a district Chancellor and district Judges for each District

14. That on the first division the persons at the time in office as Chancellor, or Judges of the Supreme Court, shall severally, by force of their Commissions, become Chancellor or Judges of the Supreme Court respectively, in one or other, of the Districts according to such distribution of them as the Governor shall appoint—

15. That the present Court for the Correction of Errors shall on such division cease, and the Chancellors and Judges of the Supreme Courts of the Judicial Districts, and the Members of the Senate of the Degree of Counsellor at Law in a Supreme Court, shall become the Court for the Correction of Errors—

16. That the Chancellor, or Judges of the Supreme Court from whose Decree or Judgment the Appeal or Writ of Error shall be, shall not be deemed precluded from having a voice for its Affirmance or Reversal—

17. That the Council of Appointment shall cease, and all Officers, Civil and Military, other than those directed to be otherwise appointed shall be appointed by the Governor—

18. That, with the Exception of the First Judges, the Legislature may in their discretion, vest in the Court of Common Pleas, or Boards of Supervisors, or other public bodies, in the several Cities and Counties the appointment of Sheriffs, Coroners, Clerks or other City or County Officers—

19. That the Court for the trial of Impeachments shall cease—

20. That in the Cases where the Office is held during good behavior the Senate and Assembly may by Concurrent Resolution, declare their sense that it is not expedient a person in Office should continue therein and thereupon the Commission to such person shall cease, but such Resolution shall always originate in the Assembly, and a Majority of two thirds of the respective Houses, shall be required to pass it, and the Motion for it in the Assembly shall always be made without Assignment of Cause, and the question on it afterwards in each House be accordingly taken without debate—

21. That the Council of Revision shall cease, but no Bill shall pass the House in which it shall originate, and no amendment thereto from the House to which it may have been sent for concurrence, shall be agreed to, unless by a Majority of two thirds.—

[ADDRESSED THE HON<sup>BLE</sup> RUFUS KING,  
Jamaica, Queens County  
POST MARKED, CAZENOVIA, AUG. 17, 1821]

#### IV.—“THOU ART THE MAN.”

It is a matter of record that, once on a time, a mighty King, claiming to be a special favorite of God and enjoying, to-day, the reputation, at least, of having been a great and good man, saw fit to commit, for lust's sake, a grievous wrong against one of his subjects, and thus proved that, in fact, he was neither great nor good.

It is matter of record, also, that a faithful analyst of that period subsequently called the attention of the King to the outrage of which he had been guilty; but the statement, by design, was not specific, and the King did not perceive either the underlying facts or the criminal who was indirectly arraigned before him.

It is matter of record, also, that the King listened attentively to the general charge which was made against an un-named offender; and that, as the successive steps of his wickedness were gradually unfolded for his judgment, “his anger was greatly kindled against the man” who had apparently outraged his poorer neighbor, by seizing his lone lamb while his own flocks and herds remained undisturbed in his pastures—he went so far, indeed, the record tells us, as to decree, “*As the Lord liveth, the man that hath done this thing shall surely die*.” he shall “also restore the lamb four-fold, because he did this thing and had no pity.”

Finally, the record bears testimony that, after the King had thus emphatically condemned himself while he supposed he was merely condemning one of his subjects, the same faithful accuser arose a second time before him, and, with that true dignity which belongs only to those who have the Truth on their side and dare proclaim it, promptly introduced the convicted criminal to his angry Judge—“*Thou art the man*” was the simple formula employed by Nathan to bring home to Bath-sheba's self-righteous and self-satisfied seducer and Uriah's murderer the enormity of his outrage and the justice of the judgment which, unwittingly, he had, just before, decreed against himself.

While Nathan employed the glittering generalities of the original accusation, he merely sent his arrows into the air, and no one was hurt: it was only when the criminal as well as the crime was condemned, and David, himself, was designated as “the man” whom David had already sentenced to death, that the great object of Nathan's mission was accomplished and the emphatic message of the Lord was delivered.

What was true in Israel, centuries ago, is equally true, to-day, in America; and that writer of History who rests satisfied with a merely general survey of his field of inquiry will most certainly secure the applause of the unnamed guilty ones, while he will, also, most certainly fail to



accomplish any of the great purposes for which History should be written. It is, indeed, the province of History and the duty of those who write it to hold up for the instruction of mankind, the causes and effects which the Past has transmitted to the Present: but that duty has been only imperfectly discharged while the men who have gone before us remain separated from their measures, and their virtues and vices are examined at a distance, *en masse*, and separate from those to whom they belonged. Like Nathan of old, every writer of History is a servant of God, bearing a message to generations yet unborn; and every Historian is recreant of his duty who fails to say unto those to whom he is sent, and of whose actions he is to write, "*Thou art the man*" unto whom belongeth the merited condemnation, and unto THEE shall be awarded the honors to which THOU art justly entitled.

We have been led to make these remarks because some of our contemporaries seem to suppose that the duty of a Historian is ended when he has repeated a statement, no matter by whom made: while others suppose that he cannot properly dispute an averment which comes from "a gentleman," even if unsupported, or express a doubt of his personal integrity whose ancestors were "respectable." The inhabitants of particular towns and particular States, it is often claimed, must also be spared from specific censure, even if guilty of wrong-doing; and an "established reputation," no matter on what founded or how worthless it may be, in fact, must be shielded, at all times, from positive condemnation, if not, indeed, from implied censure. Those, for instance, who are not "for" Massachusetts under ALL circumstances are too often considered as necessarily "against" her in ALL things; and those who violate the self-esteem of Boston in the smallest degree are regarded by many as guilty of the whole catalogue of offences, and fit only to be held up to the unqualified condemnation of the faithful. On the other hand, what would have been a Truth if it had come from New England ought to be regarded as necessarily a Falsehood when it comes from the South; while New York is too often regarded as only a modern Nazareth, from which no good can possibly come, under any circumstances.

Our duty and that of our fellow-laborers in the field of Historical inquiry, under these circumstances, is very plain. The offender as well as the offence comes properly within our notice; and as Nathan had discharged only one half of his duty when he had merely held up the offence of David to the indignant condemnation of the King, so will our duty have been only imperfectly performed while we shall hesitate to look a criminal in the face, because of his ancestral pretensions, and say unto him while we condemn the

crime of which he is guilty, "*Thou art the man*" who committed it. H. B. D.

MORRISANTA, N. Y.

#### V.—THE ORIGIN OF THE AMERICAN NATIONAL ANTHEM CALLED *THE STAR SPANGLED BANNER*.\*

READ BEFORE THE PENNSYLVANIA HISTORICAL SOCIETY, AT ITS MEETING, 1867: BY COLONEL JOHN L. WARNER.

Just previous to the attack on Baltimore, and the bombardment of Fort McHenry, on the twelfth, thirteenth and fourteenth of September, by the British Army and fleet of fifty sail, the fleet came up to North Point and anchored. Francis Key, Esq., a lawyer and writer of merit, was commissioned by our Government to visit the military powers of this invading fleet, and to negotiate some international law matters as regarded an exchange of prisoners, &c. Mr. Key went down to the fleet under a flag of truce, thus commissioned. He was received with courtesy on board of Admiral Cockburn's ship, but it being on the eve of the attack on Baltimore and the Fort (a simultaneous one by land and water) it was deemed expedient to detain Mr. Key as a prisoner till the result of the action was ascertained. Thus detained, Key became a painful witness of the bombardment of the fort on the thirteenth, from sunrise on the thirteenth to seven o'clock, A.M., of the fourteenth of September. We may well imagine the anxious feelings of poor Key during this long shelling through a dark and rainy night; but when the dawn of day broke on the fourteenth, and developed to his sight the starry banner still proudly waving on the fort's flagstaff, we can well imagine Key's joy of heart.

It was during this detention and consequent excitement of patriotic feeling that Mr. Key composed the outlines of the National Hymn—*The Star Spangled Banner*. After his liberation, Mr. Key returned to Baltimore, and there perfected this very interesting and deep-hearted National poem, which is now chaunted in every civilized country.

The British having thus been defeated before Baltimore, at once returned down the Chesapeake Bay. Mr. Key, having in a few days completed a perfect copy of his stanzas, gave the song to Captain Benjamin Edes, a printer established at the corner of Baltimore and Gay Streets, (and who was a Captain in the Twenty-seventh Baltimore Regiment, which had done good service in the battle of North Point,) to print and distribute to the citizens. It was first sung when fresh from his press, at a small frame one-story house, occupied as a tavern next to the Holiday Street Theatre.

This tavern had long been kept by the widow Berling, and then by a Colonel MacConkey, a house where the players "most did congregate," with the quid nuncs of that day, to do honor to, and to prepare for, the daily military drills in Gay Street, (for every able man was then a soldier;) and here came, also, Captain Benjamin Edes, of the Twenty-seventh Regiment; Captain Long and Captain Thomas Warner, of the Thirty-ninth Regiment, and Major Frailey. Warner was a silversmith of good repute in that neighborhood.

It was the latter end of September, 1814, when a lot of the young volunteer defenders of the Monumental City was thus assembled. Captain Edes and Captain Thomas Warner came early along one morning and forthwith called the group (quite merry with the British defeat) to order, to listen to a patriotic song which the former had just struck off at his press. He then read it to all the young volunteers there assembled, who greeted each verse with hearty shouts. It was then suggested that it should be sung; but who was able to sing it? Ferdinand Durang, who was a soldier in the cause and known to be a vocalist, being among the group, was assigned the task of vocalising this truly inspired patriotic hymn of the lamented Key. The old air of *Andereon in Heaven* had been adapted to it by the author, and Mr. Edes was desired so to print it on to the top of the ballad.

Its solemn melody and impressive notes seem naturally allied to the poetry, and speak emphatically the musical taste and judgment of Mr. Key. Ferdinand Durang mounted an old-fashioned rush-bottomed chair and sang this admirable national song for the first time in our Union, the chorus to each verse being echoed by those present with infinite harmony of voices. It was thus sung several times during the morning. When the theatre was opened by Warren and Wood, it was sung nightly, after the play, by Paddy McFarland and the company.

#### VI.—MR. DRAYTON'S TALK TO THE CHEROKEES, 25 SEPTEMBER, 1775.

[From the author's manuscript, in the possession of the Editor.\*]

A TALK FROM THE HONOURABLE WILL<sup>M</sup> H. DRAYTON ESQ<sup>R</sup> ONE OF THE BELOVED MEN OF SOUTH CAROLINA TO THE BELOVED MEN, HEAD MEN & WARRIORS OF THE CHEROKEE NATION AT THE CONGAREES, SEP<sup>R</sup> 25, 1775.

FRIENDS & BROTHER WARRIORS

I take you by the hand, in witness of the Peace

and friendship which has so long subsisted between your Brothers the White People of this Country & you & your People; and I hold your hand fast in testimony that your Brothers the White People wish that our Peace & Friendship with you & your People may continue—

I sent a talk to you in your Nation to desire that you would come to see me at the Congarees in order that we might talk together face to face. When I sent to you, I thought to have been here, before you could have arrived: but some of our People who did not understand the things about which I intend to speak to you; & to explain which to them I came into the Country, my stay among those People was therefore longer than I expected; & I was thereby detained from seeing you at the time I appointed. This being the case, I make no doubt but that you will readily excuse my absence which I assure you was as disagreeable to myself, as it could possibly be to you.—

I sent to you, to come to me that I might explain to you, the causes of the unhappy quarrel between a part of the People in Great Britain & your Brothers the White People living in America.—Also, that I might tell you why our People have put on their Shot Pouches, & hold their Rifles in their hands.—

The causes of this unhappy quarrel are very plain, as you will see as I go on with my talk; but, in order that you may see them and understand them clearly, I must first talk to you of the time before any of our White People came to this Country, and what was then done.—

Before our Forefathers left England, they made an agreement with the Great King, that when they came over to America, they and their children after them, should there continue to have and to enjoy the same Rights & Privileges that the People of England who you know were their own Brothers did actually enjoy. And to this Agreement, the Great King put his hand & his seal; and declared that all the Great Kings after him should be bound by the Agreement he had made.—

Now, in consequence of this agreement, your Brothers the White People in America say, the money they have in their pockets is their own; and the Great King has no right whatsoever to send or to order any Officers to take this money or any part of it out of our pockets, or to make any laws to bind us but by our own consent given by our Wise Men who we ourselves elect & appoint to make laws for us. And we say so for this plain and good reason: because the Great King has no right to send any Officers to take any money out of the Pockets of our Brothers the People of England, or to bind them by any laws but by their own consent given by their Wise Men, who they themselves elect &

\* This very interesting paper was picked up in Charleston, by Mr. G. W. Scobie, Acting Second Engineer of the steamship *James Adger*, U. S. N., and was placed on our hands by our friend, Lewis Francis, Esq., of New York City.



appoint to make laws for them. For as this is the right and privilege of our Brothers in England, so this agreement declares we have the same right and privilege.—

But notwithstanding these things, the Men about the Great King, have persuaded him, that he and the Men in England whom we never elected and appointed to make laws for us, have a right to take our money out of our pockets without our consent, and to make laws to drag us away from our own Country across the great water, and all this without asking us any thing about the matter and violently against our consent and good liking. And unjust and wicked as all this is, yet this is not the worst part of their usage to us. They have by other laws broken our agreement in whatever particular part they pleased: and these Men about the Great King have so teased & persuaded him, that the Great King and the Men in England, whom as I told you before, we never appointed to make laws for us, have made one law which says the Great King & those Men have a right to bind us by laws of their making, in all cases whatsoever: which is as much as to say, they have a right to treat us and every thing belonging to us, just as they please: and this you know is as much as to say they have a right to take all our money, all our lands, all our cattle and horses and such things; & not only all such things, but our Wives & Children in order to make servants of them, and besides all these things, to put us in strong houses and put us to death whenever they please.

Friends and Brother Warriors, is it not now as plain as the sight at the end of your Rifles that these laws and proceedings are like so many hatchets chopping our agreement to pieces? Are not these unjust things enough to make us put on our Shot pouches, and especially when we find that our Brothers over the Great Water will not only, not hearken to the many good Talks which we have sent them about these matters: but have really sent over People to take the hatchet up against us?

Oh my Brother Warriors, it is a lamentable thing, that our Brothers beyond the great water should use us in this cruel manner!—If they use us, their own flesh and blood in this unjust way, what must you expect: you who are red People; you whom they never saw; you whom they know only by the hearing of the ear; you who have fine lands?—You see by their treatment of us, that agreements even under hand and seal go as nothing with them.—Think of these things my Friends, and reflect upon them day and night.—

Having told you that the Men about the Great King persuaded him, that he and the Men in England have a right to take our money out of our pockets without our consent; I must now tell

you the contrivances they have fallen upon to take this money whether we will or not.—

In order to take this money from us, they have ordered that we must pay a duty upon this and that thing that we are accustomed to purchase, which is as much as to say, that upon these things which we purchase, we must pay to the Great King against our consent a sum of money above the real value of those things. And in particular they ordered, that if we drink Tea, we must pay so much money to the Great King.—I must tell you, this Tea is somewhat like your black drink.—But as we know that this order is contrary to our agreement; and also, as we know the evil consequences of our paying this money, so your Brothers the white people in America have resolved that they will not pay it; and therefore the Men about the Great King have persuaded him to send Soldiers to Boston, and we are told some are coming here to force the People to give their money without their consent; and thereby to give up their rights and privileges which are mentioned in the agreement.

Some foolish People say it is better to pay this money for the Tea, than to go to War about it. But I tell you, it is not about this money alone that we quarrel, for the money itself we do not regard as two corn stalks: but, we are afraid bad consequences will follow if we pay the money, as I will shew to you directly.

We find that the Men in England talk among themselves that they intend to make us in America, pay to them a great sum of money every year. The way they intend to raise this money is as I have told you already by making us pay a duty upon this and that thing that we are accustomed to purchase. Now this duty upon Tea brings in but a very small part of that great Sum of money they want to make us pay to them; and therefore, we refuse to pay this money for the Tea, least, if we paid it, they would be encouraged to go on time after time, to lay duties upon a great many other things, which we are accustomed to purchase; in order that they may at last get from us, that great Sum of money which they want, and which perhaps is all we have. By which means, as your Brothers the White People will be obliged to give more money than usual, for those blankets, strouds, checks, linens, Guns, powder, paint & Rum with which you are supplied: so if money is thus taken out of our pockets without our consent, & against our agreement, it is plain and certain, that you and your People, must pay two and three deer skins for those goods, which you used to purchase of the Traders for one deer skin. And thus you see, that we do not quarrel only upon our own account; but that we have put on our shot pouches, not only to preserve our money, but also to preserve your deer skins.



Friends and Brother Warriors, I have now told you the causes of our unhappy quarrel with the Men over the great water. I hope your Eyes are now opened, and that you see plainly, that your interest is as much concerned in this quarrel as our interest. And that you also see, that we have put on our shot pouches, and have taken up our rifles, only to defend our rights and privileges according to the agreement, and by doing so, to defend your deer skins against those who wish to rob you of them.

Therefore, as your people and our people were born upon and live in the same land—as we are old acquaintances, and have thereby contracted a regard for each other—as our interest in this quarrel is the same, for the Men over the great water cannot take our money against our consent without taking your deer skins also—as you see that no agreement is kept with us, so you cannot expect to be better treated by Men who want all that you and ourselves have. I say, as all these things shew you that if we are hurt, you must be hurt also—if we lose, you must lose also—if we fall, you must fall also: so I tell you in time, that you and ourselves ought to join together, in order to save all of us from being hurt, or from losing, or from falling.—Let us therefore exert ourselves, you at your end of the chain of Peace, and we at our end, in order that we may keep this chain bright and shining.—So shall we act to each other like Brothers—So shall we be able to support and assist each other against our common enemies—So shall we be able to stand together in perfect safety against those evil Men, who in the end mean to ruin you, as well as ourselves who are their own flesh and blood.

I am informed that you have been told, that your Brothers the White People in Charles Town, used you ill, when they seized some ammunition which your Traders intended to have sent to you. It is true my Friends, that we did seize this ammunition; and I tell you, that your Brothers the White People seized it with great concern, because they knew their seizing it would in some degree distress you: but I tell you also, the Men about the Great King, are the only Persons to be blamed in this affair. For as we found, that these Men persuaded the Great King to send Soldiers against us, & to stop all kinds of ammunition from coming to us as usual in order that we should not be able to defend ourselves, so these Men about the Great King by this proceeding compelled us to seize such ammunition for our own defence, as came among us by accident; and accordingly we greedily seized the ammunition that was intended for your hunting, in order to have in our hands the means of defending our lives, our money and your deer skins, as I told you, before, against our oppressors. And this

behaviour of ours was so natural and just, that we knew, that when we came to talk to you on the matter, you would think we did nothing but what was just, and what you would have done had you been in our situation.—However, the ammunition that was seized, was intended to be sold to you: but, to shew you that we regard you as Brothers, we intend to make you a present of some. We wish we were able to give you, as much as your occasions require: but as the Great King has so ordered it, that we cannot get much for ourselves; & as we expect to fight our enemies, therefore we cannot afford to give you much of what we have.—I know your good sense will inform that this is perfectly reasonable; and that we ought not to give away so much ammunition, as would leave us, & you also, exposed to enemies, who, as I told you before, cannot hurt us, without hurting you also.

It is a concern to us when we reflect, that the present quarrel occasions a scarcity of goods in your Nation. But goods are scarce with us also; and we submit to this inconvenience cheerfully, rather than purchase those goods, which if we did purchase, would strengthen the hands of our oppressors against us. We hope our example will encourage you to suffer this scarcity as patiently as we do. When the Public Peace shall be restored, by our rights & privileges being restored to us; and when we can purchase goods without any risque of paying for them more than they are worth, by paying duties upon them contrary to our consent, contrary to our agreement, & contrary to our, & to your interest; then will you and your children after you be plentifully supplied again as usual. In the mean time we advise you to be patient; and to shew you, that we look upon you as Brothers; and that we will give you all the friendly aid, assistance & supplies in our power—I say, as a token of this, I take the Coat off my own back, & I give it to you.—For my part, in this unhappy time, I will be content to wear, an Osnaburg Split Shirt.

I hear that one of your People has lately been killed, and that two others were at the same time wounded by some of the White People on the ceded lands in Georgia.—I feel great grief at this news.—Mr Wilkinson is just come from Seneca, and has brought me a talk from the Warriors & Headmen who were nine days ago assembled at that Town in Council upon the occasion of this bad news.—In this talk the Warrior Sawney, says, he and the other Warriors remember that in the last treaty of Peace it was agreed, that if any White Man should be killed by their People, the Perpetrators of the Murder should be put to death, and that the same satisfaction should be given by the White People in case one of your people should be murdered by

ours. Sawney also says, that the Warriors & Beloved Men will wait to see if this will be complied with or not, & in the mean time they will not think of resentment, or of saying any thing to lessen our friendship. The Warrior Chenesto, also sends a good talk, & says he does not desire to break the line of friendship which the beloved Men who are dead & gone drew between us.—These talks sound well in my ears: and in return to these good talks, I tell you, that this matter shall with all possible speed be fully enquired into, and if the White people have done wrong, and without provocation have killed your Countryman, you may be assured that those White People who were concerned in such a wicked & black affair shall be punished, and thereby your People will have satisfaction according to the Treaty.—I desire you will tell the Relations of the Poor Man who has been killed, how much I am concerned at their loss. I am told he has left a Widow & children: I give these presents; and I desire you will carry them to the unfortunate Widow, in order to shew her that all the White People in this Country pity her misfortune.

Friends & Brother Warriors.

This talk I give to you, as a talk of Peace & friendship: a talk to open your eyes; and as a good talk from all the Beloved Men & White People of this Country, to you & your Beloved Men, & all the red Men of your Nation.—I give you this talk as so much oil to keep the chain of peace and friendship between us, bright & shining like the Sun. And as in the Corn planting Season, the Sun warms the earth, & makes the Corn to sprout & to grow for the good of the People: so I hope this talk will warm your hearts, & make thoughts of friendship & good will sprout and grow in you and your People, for the mutual good of our people & of your Nation.

#### VII.—SELECTIONS FROM PORTFOLIOS IN VARIOUS LIBRARIES.—CONTINUED.

37.—DR. JONATHAN ARNOLD TO HIS COUSIN, MRS. MARY CROUCH, CHARLESTON, S. C.\*

DEAR COUSIN,

I gratefully acknowledge the receipt of your kind favor, by which I have the pleasure to hear of your Comfortable state of health—and that of your Children, which I hope you and they may continue to enjoy.

Permit me to observe, the general Matter of your Letter is picturesque of Human Life.

Thro' the short span of which alternate flow  
Sorrow & Joy, Health, Sicknes, weal & woe.

But altho' these are the Common Lot, yet I am very sensible great difference arises therein to Individuals—from their more sudden vicissitudes—here therefore permit me to condole with you a Moment, the more than common calamities that have fallen to your share. Had an opportunity offered, long since I should have wrote you, and said many things, on this Occasion, which e'er this your own reflections on the goodness of Divine providence must have anticipated me in.

Were I to undertake a particular relation of the various turns affairs have taken within this Little State, during the year past, it would have the Appearance of Romance rather than real truth and fact. Suffice it to say generally that merchantmen being discouraged, privateering took place and with such success, that the Town of Providence in a few Months had in it more valuable W. India produce than it ever held before in Five years—by which many persons, before of moderate circumstances, made pretty Northern fortunes—but on the whole it was yet but partial plenty. Articles of Clothing are extremely scarce and I may add dear too—Our Legislature have taken various methods to prevent effects while the Causes remain—and have had such success as every thinking person would imagine they would have in such case.

Our port is now blocked up—what will be the immediate consequence to this State God only knows, and as the matter is at his disposal, I give myself but little uneasiness about consequences, firmly believing however gloomy the present prospect may appear, all will terminate happily.

On the 7th December the Fleet arrived, with a Large land force. We were at this time destitute of Troops for defence—the rage for privateering and advancement of private fortunes had too, too much gained the Ascendency over public Spirit, and that patriotism which had heretofore characterized our leading men—the Love of Liberty and regard for patrimonial Estates sunk in too many, to an anxious concern to save personal property—and (perhaps in imperfect creatures at times it must be so)—with confusion I write it, there seemed a general ebb of public virtue—in short, as to ourselves, and our own Conduct we were at the will of our Enemies—but heaven kindly interposed, they contented themselves with the possession of Rho Island & Conanticut, which gave time for a sufficient force to be collected to guard against them—& we are pretty quiet at present.

You mention returning to y<sup>e</sup> Northward again, for my own sake I wish it, but for yours I cannot advise to it, as I conclude the seat of War

\* From the original in the possession of Rev. Pliny H. White, Coventry, Vt., President of the Vermont Historical Society.

the ensuing year will be from the Delaware northward.

I had wrote thus far long since, but had no opportunity to send—I had been particular as to many things then new, but which I dare say you have long since heard—or will hear more intelligibly from Cousin Clara who bears this—had time permitted I would have copied the whole—but General Spencer this Moment orders me away—we are preparing to attack our invaders—in a very few days it will be determined whether we or they hold Rhode Island the ensuing winter. God grant us success. Miss Arnold is pretty well and in hopeful circumstances—the Boys Lyndon and Billy have the hooping Cough, otherwise comfortable. Mrs. Arnold joins in Love to you & Children and Prayers for your welfare.

Dear Cousin Adieu

JON<sup>A</sup> ARNOLD\*

PROVIDENCE, Oct 7th 1717

P. S.—As soon as I dated my letter it reminded me of the Letters between the two Antediluvians in Addison's works—we poor stunted mortals as to time, are too prone to procrastinate.

33.—AARON BURR TO — WESCOTT.†

N. YORK 19 July 1817.

I am really at a loss, my dear Sir, what to say about Field—no doubt the sale by Ross & Wilkins was a fraud, yet as I have actually paid about 14,000, in money and as Field has often demanded of me the 1-2 of his & his Son's Expenses time &c in attempting the settlement of these lands, it would seem to follow that I might participate in the benefit, if any—

It will not be in my power to visit Phil<sup>a</sup> this Summer. We must therefore meet here & the present is my most leisure time—At 61, Vesey St about 3, doors E. of Greenwich St. you will find in a small brick house, a small room & a most cordial Welcome, but come quickly, for on the

\* Jonathan Arnold was the third child and second son of Josiah (of Richard, of Richard, of Thomas, of English Thomas) and Amy (Phillips) Arnold, and was born in Providence, R. I., the third of December, 1741, O. S. In 1776 he was a member of the General Assembly of Rhode Island, and was the author of the act of the fourth of May, 1776, by which that State abjured its allegiance to the British Crown. He was a member of the Continental Congress, and a surgeon in the Revolutionary Army. After the war he removed to Winchester, N. H., and thence to St. Johnsbury, Vt., of which last-named town he was the principal grantee and the founder. In 1792 he was elected a Judge of Orange County Court. He was also one of the original trustees of the University of Vermont. By three wives he had eleven children, one of whom, Josiah Lyndon, mentioned in the letter above, was a poet of some celebrity. (See Duyckinck's *Cyclopedia*, i., 529.) Lemuel H., his youngest son, became Governor of Rhode Island, and a member of Congress from that State. Dr. Arnold died in St. Johnsbury, on the second of February, 1795.

P. H. W.

† In the collection of Francis S. Hoffman, Esq., of New York.

1<sup>st</sup> Aug<sup>t</sup> I must set out for Albany—advise me by Mail of the Day & hour You will be here, so that I may not be from home—

In the hope of an early interview, I omit 'till then all further answer to your two letters—

Affectionately

Y<sup>r</sup> friend & s<sup>t</sup>

A BURR

[Address on outside]

\* — WESCOTT Esq  
Philad:

39.—DR. FRANKLIN TO CONRAD WEISER AND OTHERS.‡

EASTON, Dec 30, 1755

GENTLEMEN:

We are just on the point of setting out for Bethlehem, in our Way to Reading, where we propose to be (God willing) on Thursday Evening. The Commissioners are all well, and thank you for the Concern you express for their Welfare. We hope to have the pleasure of finding you well. No News this Way, except that Aaron Dupui's Barn was burnt this Week by the Indians still keeping near those Parts. In haste I am

Gentlemen

Your humble  
Servant

B. FRANKLIN

To CONRAD WEISER  
JONAS SEELY  
JAMES READ

} Esquires

Reading

40.—DR. FRANKLIN TO SAMUEL RHODES.‡

FORT ALLEN, Jan. 26, 1756.

DEAR FRIEND

I am extremely oblig'd by your kind Concern express'd for my Safety & Welfare. We march'd hither with the greatest Caution, thro' some passes, however, in the Mountains, that were very dangerous, if the Enemy had oppos'd and we had been careless. Hitherto God has bless'd & preserved us. We have built one pretty strong Fort, & by the End of next Week, or in ten Days, hope to finish two more, one on each side of this, & at 15 Miles Distance. These I suppose will compleat the projected Line from Delaware to Susquehanah. I then propose, God willing, to return homewards and enjoy the Pleas-

\* Christian name torn off.

† Communicated by William Duane, Esq., of Philadelphia.

‡ Not published, except one paragraph in a note in Sparks's *Franklin*. Communicated by William Duane, Esq., Philadelphia.



ure I promise myself, of finding my Friends well. Till then, adieu; My love to all the Wrights.

Yours affectionately  
B. FRANKLIN.

To  
Mr. SAM<sup>l</sup> RHOADS  
Philad<sup>a</sup>

41.—JOHN RANDOLPH OF ROANOKE TO WILLIAM  
B. GILES.\*

CLAY HILL March 12 1815.

SIR—

I learn from authority that I cannot discredit, that you have in your possession, & occasionally shew to others, a written paper, which purports to be a letter from Mrs. Gouverneur Morris addressed to me, containing allegations against me of a nature highly injurious. No such letter has ever been received by me—I had been led to suppose that the recollection of past transactions would have caused you to refrain from mingling your name with mine, or intermeddling in any manner in my affairs. If in this I have been mistaken, as I fear is the case, I must apprise you that I cannot consent that any one under the pretext that he is not the *author*, shall make himself the *vehicle* of Calumny against me—neither will I suffer my family history to be raked up with the ashes of the peaceful to subserve the personal views of any man whatever—

Should I be misinformed as to the fact, I shall regret that our correspondence will have been causelessly renewed. Mr. Barksdale, the bearer of this letter is privy to its contents. Circumstances compel me to leave this neighbourhood to-day, but I hope soon to have the pleasure of being in it, of such, if necessary you will be duly apprized—

I am sir  
Yr h<sup>ble</sup> Serv<sup>t</sup>

JOHN RANDOLPH OF ROANOKE  
WILLIAM B. GILES Esq.

42.—GENERAL LAFAYETTE TO MR. BRADFORD.†

LAGRANGE Xber 7th 1828.

MY DEAR BRADFORD

I am much obliged to you for the care you have taken of my letters, and Hope, before long, to offer my thanks in person as I contemplate going to town on Saturday, so as to be in time to deliver into your hands at Mr. Low's House

my American dispatches. I Have also to confer with Him, and with you, respecting several copies in french, and English of which Mr. Sparks Has, no doubt, already spoken to Mr. Low. I will make a list of the addresses of the American ladies now in Paris to call upon them in the short stay, two days, I think, which I intend to remain in town, and should you hear of any of our friends intending a kind visit to us be pleased to inform them of my plan that I may be sure not to loose the opportunity to welcome them at Lagrange. My letters by the *Don Quixotte* are not yet arrived. I see in the french papers that the return of the N. Y elections Has not been favourable to the Adams' ticket. I shall take with me a letter to Doctor Winthrop. The family beg to be affectionately remembered and I am with all my heart

Your old friend  
LAFAYETTE

We have good news from G ; when George was last in that city, He received a most kind welcome and was particularly gratified by the attention His friends had to play American tunes, Washington's March, and Yankee Doodle.

MR. BRADFORD.

43.—ELBRIDGE GERRY TO MR. MURRAY.\*

PARIS 5<sup>th</sup> June 1798

DEAR SIR,

Immediately after the Sealing of my letter of this day, I received yours of the 28<sup>th</sup> May by the gentleman to whom it was inclosed, with the copies of dispatches from the Secretary of State, the prospect of a ten years imprisonment would not induce me to quit this country as a fugitive—I have done nothing to prompt the measure. General Pinckney has been long since apprized of his Situation—Yours sincerely

E GERRY

MR. MURRAY, Minister &c &c

44.—GENERAL DEARBORN TO GOVERNOR TOMPKINS.†

HEAD QUARTERS  
ALBANY Decr 29<sup>th</sup> 1812

His Excellency  
Governor TOMPKINS,

SIR,

It has become necessary for me to request your Excellency to order into the service of the United States, one Major, three Captains three Subalterns & a suitable officer to act as Judge Advo-

\* From the original in the collection of Francis S. Hoffman Esq., of New York.

† From the original in the collection of the Long Island Historical Society.

\* From the original in the collection of Francis S. Hoffman, Esq., of New York.

† From the original in the collection of the Editor.

cate from the detached Militia of New York, to form a General Court Martial on the 13<sup>th</sup> day of January next for the trial of such deserters & delinquents of Brig<sup>de</sup> Gen. Petits Brigade of detached Militia & of the Companies & Corps ordered into service, on the northern Frontier of this State, since the first day of July last, under & pursuant to the Act of Congress of the 20<sup>th</sup> of February 1795,—as may be expedient

With great respect, I have  
the honor to be your Excellencies  
Obedient & Humble Servant,  
H. DEARBORN

45.—MR. MONROE TO MR. MYERS.\*

RICHMOND March 17, 1800

SIR,

I want five hundred or a thousand doll<sup>s</sup> for a short time & sho<sup>d</sup> be glad it were in yr. power to accommodate me—I am induced to apply to you from the acquaintance formed in a late transaction—The money will be replaced at the time agreed on, and I am willing to make such acknowledgement for the accommodation as will be desired—With respect I am yr. obt. servant

JAS MONROE

I want the sum to night or in the morning

[Addressed on back:]

Mr. MYERS

46.—MR. CALHOUN, SECRETARY OF WAR, TO GOVERNOR TOMPKINS.†

DEPARTMENT OF WAR  
May 27<sup>th</sup> 1822.

SIR,

I have received your letter of the 22<sup>d</sup> inst. and herewith transmit, agreeably to your request, Copies of all the letters addressed to you from this Department within the period designated by you, and the original letter imputed by you to Col. Lamb.

By this days mail I also forward, conformably to your Suggestion, such original letters of Mr Mercein as are on file in this Office to Mr Tillotson. By to morrows mail I will transmit Copies of such letters as may be handed me from the Treasury Department as refer to the Corporation loan of \$400,000.

I have the honour to be

Your Obed<sup>t</sup> Serv<sup>t</sup>

His Excy

J. C. CALHOUN.

DANIEL D. TOMPKINS

Vice President U. S.  
New York

## VIII.—MARSHALL'S LIFE OF WASHINGTON.

SUGGESTIONS FOR THE CORRECTION OF ERRORS IN THAT WORK, ADDRESSED TO ITS PUBLISHER.\*

[From the original Manuscript, in the possession of Francis S. Hoffman, Esqr.]

SIR.

The enclosed paper is to sent you as the readiest & probably not an improper mode by which it may be made useful. It is too late to have any beneficial effect as to volume already printed; but it may perhaps have a tendency to procure more correct information to the Author of future volumes; or at least be useful in future Editions.

Philada 3 October 1804—

[Addressed on outside]

Mr. C. P. WAYNE.

[ENCLOSURE.]

A person who professes to have derived much gratification from reading the 2d vol. of the Life of General Washington, finds occasion, notwithstanding, to regret that the historian did not possess information so full and particular as might be wished, concerning some of the facts and circumstances stated. He particularly alludes to some of the transactions in the year 1776 and 1777, at which time he was not with the army, and therefore cannot pretend to describe with perfect precision the facts and circumstances, which he perceives, however, stand in need of a more correct Statement. His acquaintance & frequent communication with officers of distinction, together with his own intimate knowledge of the geographical situation of Jersey near the Delaware, enable him to suggest some inaccuracies which he is persuaded the historian will with pleasure receive the information necessary to the correction of, when opportunity will admit. He therefore takes the liberty with great deference, to suggest some observations which have occurred to himself, and to refer to others better informed, for further information. Genl Philemon Dickinson, of the Jersey Militia, and Col Samuel Griffin of Virginia, were active in the scenes alluded to, and can probably point out others who may add to the information they can give.

Whether remarks of a similar nature have occurred to others, or not, on the same or other parts of the history, the writer of this is uninformed; he takes the liberty of suggesting such only as have occurred to his own mind as demanding notice, on a reading performed not at perfect leisure, nor free from interruptions. And altho his disposition toward the historian is perfectly friendly, he has a still stronger reliance for the extenuation of the freedom he uses, on his

\* From the original in the collection of Francis S. Hoffman, Esq., of New York.

† From the original in the collection of the Editor.

\* It is not now known by whom these suggestions were offered, as no signature is appended to the letter.

regards for the fame of Genl Washington & for the correctness of the history in which it is involved.

The battle of Long Island and retreat of the American Army from thence appear by the marginal notes, to have been in July 1776: whereas it is believed to have been in August 1776.

This retreat of the American Troops, was considered at the time, by all men of military Science, to whom the existing circumstances were known, and so spoken of by the British officers, as a masterly stroke of Generalship which reflected the highest honour on the Commander who planned and executed it so successfully within a few rods of an enemy of vastly superior strength in every point of view. It seems, therefore, to merit more notice in history than a mere narrative as of a common transaction. It was, not uncommonly, remarked at and about the time, that it would have done honour to the greatest military character in Europe.

Page 541, &c.—Description of the roads leading into Trenton, are mistaken

The Penington, or Pennytown Road leads into Trenton at the northern, or upper end of the Town. The River Road enters the town on the western side, near the lower or Southern part of it

Page 542—It is said Genl Cadwallader was to cross over at Bristol, and carry the Post at Burlington. There were no British Troops posted at Burlington. When these troops were spreading themselves from Trenton to Mount Holly, in search of quarters, a party of them shewed themselves at Burlington with a view to quarter there. The inhabitants being chiefly of the people called quakers, were much opposed to it, tho a great proportion of them were friendly to the British cause. But a number of Gun boats from Philadelphia appeared before the Town, which is so nearly on a level with the water as to be viewed in every part from thence. Seeing the German Troops entering the Town, the Boats fired a few cannon into the Town, which convinced the Troops it was best to keep away from such a place. And a kind of convention was made for the neutrality of that Town, and no Troops on either side were quartered in it.

The British Troops composed chiefly of Germans, took post at Mount Holly about seven miles inland from Burlington, and at some villages between that & Bordentown. The object of Genl Cadwallader's crossing from Bristol, was therefore to surprise the Troops at Mount Holly, and it was thought necessary, for a reason which has been hinted, not only to avoid passing thro' Burlington, but to conceal from the Inhabitants every appearance of their movements. The attempt to cross the River was therefore at a

place called Dunk's ferry, about four miles farther down the River.

The same mistake, of saying Burlington instead of Mount Holly occurs again in one or two places.

Page 544—The Troops which escaped by flight to Bordentown, were Cavalry, or they probably would have been overtaken.

Page 551—The circuitous route the Am<sup>a</sup> Army took to Princeton, did not lead thro' Allentown nor within several miles of it, but was by a road called the Quaker Road

About sunrise the two British Regiments having proceeded about two miles along the great road, they saw from the high ground the approach of the American's coming from the Southward in a course that would come into the great road in their rear. They therefore faced about, recrossed Stoney Brook which they had recently passed, and then crossed the fields to the Southward under cover of a copse of wood toward the Americans whose van was conducted by Genl Mercer—&c:

Page 552—Col Mawhood, it was allowed, fought bravely; but he did not force his way thro' part of the Am<sup>a</sup> Troops—That would have been directly out of his way. He retreated to the great road which was in his rear, and pursued his route to Maidenhead. The other Regiments (probably the 55th) being closely pursued fled in disorder crossing the great road and across fields to a back road leading toward Brunswick between Hillsborough and Kingston.

Page 553—The Reg<sup>t</sup> remaining at Princeton, made some show of resistance by taking Shelter in the College; but were mostly taken prisoners.\*

In corroboration of the opinion stated in the beginning of Page 545, the following fact is mentioned on the information of Genl Reed, received the next day after the transaction viz:

Genl Reed who crossed the River at Dunk's Ferry with the Van of the Infantry, expecting the rest to follow, and having a perfect knowledge of the country, pushed forward to Burlington immediately; and with the aid of his brother, who resided in that Town employed & Seat off a trusty person to view the situation of the Troops at Mount Holly, and report to him in the course of the night. The Man returned as speedily as could be expected and reported that he had looked into many houses where the soldiers were quartered, and observed them to be generally in a sound sleep which he supposed to be in part occasioned by the effects of the libations of the preceding day, being Christmas, That they ap-

\* These remarks against which the Pages of the book are marked are not to be understood as intended to supply the place of a connected story, but stated merely for the purpose of furnishing Facts, which the writer supposes may be useful in making necessary corrections.



peared to be very little on their guard, he having seen but six men awake in the Town, tho' they had six field pieces under their care.

The alarm spread by the fugitives from Trenton struck their companions, placed at Bordentown and so on to Mount Holly, with so much terror, that they retreated in great haste and trepidation towards Brunswick & Amboy, inasmuch that it was thought by intelligent persons who saw them on the march, that a body of militia inferior in number to themselves, might have taken from them all their Baggage, Stores, and plunder which they were carrying off.\*

On the 27th of Decem<sup>r</sup> Genl Cadwallader effected a landing on the Jersey shore with his body of militia, before he knew that Genl Washington had recrossed to Pennsylvania about two miles above Bristol, but being without certain information of the condition and movements of the enemy, it was deemed necessary to proceed with caution, he therefore marched to Burlington, which owing to a navigable creek in the way, required a circuit of some miles. Had his information been sufficient to warrant an immediate pursuit of the enemy on his landing; it is probable he would have fallen in with some of their parties, as his march to Bordentown would have been almost as easily performed as that to Burlington which happened to place him further in their rear. He sent immediate notice to Genl Washington of his being in Jersey and of his intention in coming there which seems to have strengthened if not produced, the General's motive for returning to Trenton. The following anecdote which the writer had from the mouth of an American Gentleman who was a refugee with the British army at the Time may be deemed worthy of recital in a note referring to the end of the second section in P—549

“Sir William Erskine urged an immediate attack on the American Army; but L<sup>d</sup> Cornwallis was disposed to defer it till the next morning, as his troops were fatigued by their day's march from Princeton, and the Americans were so hemmed in by the Delaware filled with ice on one side and Crosswicks creek, navigable for Sloops in their rear, that they could not escape, and he could make sure work in the morning. To which Sir William replied ‘If Washington is the general I take him to be, his Army will not be found there in the morning.’”

Page 553—The same person also told the writer, that the first knowledge the British Officers had of the movement of the Americans

arose from hearing the firing near Princeton in the morning, which they at first supposed to be thunder. And the writer add's from other authentic sources of information that some of the field officers of militia who retired some distance in the rear in hopes of an undisturbed nap (having had their rest much broken for some days) were at a loss to find the Army in the morning, and some of them by taking a wrong course, did not find it till after the action at Princeton.

When the American Army moved forward from Princeton it remained undecided what route they should pursue. They were eighteen miles from Brunswick, and the Troops were not in a condition from the service of the preceding night and morning, and want of rest and refreshments for two days before to continue their march with the necessary celerity to Brunswick, especially as the Van of the British were so close in their approach as to appear at one end of Princeton as the Americans were departing from the other. The Council was held on Horse-back, in the course of the March. Some Gentlemen urged the filing off to the Southward; but on crossing the Millstone River at Kington the guides were directed to take the road leading to the northward through Hillsborough, or Somerset Court House; but before they reached that village, many of the infantry worn out with fatigue, fasting and want of rest, laid down & fell asleep by the way. But the object of the enemy being to secure Brunswick they continued on in the great road and some of them arrived there during the night.\*

The foregoing remarks & observations have been made by scraps at short intervals from business, and being intended as a private tho' respectful communication are given in the rough, the writer not being able, without great inconvenience, to find leisure to make a fair copy but he trusts they will be understood by the only person whose use they are intended.

## IX.—THE SYMBOL OF THE CROSS.

[We have pleasure in presenting to our readers the following letter and its inclosures, which have been sent to us by our venerable and venerated friend, Hon. Thomas Ewbank; and we assure ourself that they will esteem the privilege of reading them, as much as we do that of publishing them.—  
ED. HIST. MAG.]

140 EAST 31ST STREET, April 22, 1867.

MY DEAR FRIEND:

I have received the Cincinnati “*Israelite*” of the 28th of December, containing some remarks of unusual interest on the *Antiquity of the Cross or letter X as an oriental symbol*, by the learned Editor, Rabbi Isaac M. Wise, (author of several popular books on Hebrew topics.) He states that the Cross was

\* These facts are stated with less regard to the pages to which they refer, than the preceding remarks on a supposition that the historian, if he shall think proper to notice them, may deem them more suitable for notes, than for alterations of the text.

\* The reasons for relinquishing the march to Brunswick are perhaps sufficiently described in the Book, but the description here given may perhaps afford some elucidatory remarks—

commonly understood in the times of Ezekiel, whom he quotes, as a symbol of life, thus shedding light on a very curious topic, and fully accounting for the symbol being found figured on the breasts of Assyrian monarchs and suspended from the necks of their soldiers, and those of contemporary nations. Such a luminous comment on the figures in the paper on Rock-Writing, representing foreigners at war with the Egyptians, I never expected to see. An amuletive preservative of life was of course the most natural, and appears to have been the favorite one with warriors.

HENRY B. DAWSON, Morrisania.

Truly yours,  
THOS. EWANK.

#### WHAT KNIGHT OF MALTA OR ANTIQUARIAN CAN SOLVE THE WONDERFUL DISCOVERY?

The *National Freemason* says: "I have before me a copy of the head of a Cacique's bronze staff of the Inca era, brought from Peru. It is a perfect Maltese cross."

Thomas Ewbank, Vice-President of the Ethnological Society, remarks:

"It is remarkable that the Maltese cross, worn by modern kings and conferred on military chieftains, is identical with those figured on the breasts of conquering monarchs of Assyria. May not this martial application of it have reached us through Pagan, not Christian, Rome? The influence of the Cross of the Legion of Honor, on the French army, during the Crimean campaign, so far surpassed that of all English decorations, that the Victoria Cross was founded in imitation of it.

"To no written character have more varied significations been given. None has been more widely employed by the learned and unlearned. It occurs in the hieroglyphs of most barbarians, as in alphabets; then it is a numeral, an algebraical symbol, a conventional element of computation in several professions, an emblem of religious faith, a heathen charm or talisman, and a fashionable appendage of Christian dress."

He further adds:

"The cross, or letter X, varied to the perpendicular stem and horizontal bar, occurs in American inscriptions. The Spaniards were surprised to find it an object of veneration in the central States and Peru; but the inference that Christianity was early introduced there, in the first century, some thought it questionable. By the same rule it was anticipated or prefigured in Asia, where mystic and religious meanings were associated with the symbol, centuries before the birth of Christ. It appears to have been as popular a form of amuletive jewelry 3500 years ago as at this day among us. Tiglath Pileser wore it suspended from a narrow fillet crossed over the chest. In Pharaonic sculptures it occurs in a group of prisoners of war, some having it pendent from a necklace or the collar of their dress. It is

figured on the robes of the Rot-n-no people; and traces of it are observable in the fancy ornaments of the Rebo, showing it in common use in the fifteenth century before the Christian era. It was also an Egyptian amulet; of five figures representing different seated postures, (*Wilkinson*, ii., 203), No. 4 wears one whose centre is a circle and the horizontal bar two smaller ones.

"A cross of jasper, suspended by a chain of gold, was seized in the palace of the Incas. It was as broad as long, and about three fingers broad. When Garcilasso left Cusco for Spain in 1560, it was hanging from a nail by a piece of black ribbon, in the vestry of the cathedral. A symbol appears on the bronze staff of the Caciques of the Assyrian pattern. On the ruins of Coati, it is cut in stone walls; and a species of Pan pipe has been found ornamented with it."

It is strange that all the antiquarians overlook the fact, that the Prophet Ezekiel mentions the cross as a symbol of life which must have been commonly understood in his days. *Thov*, the last letter in the ancient Hebrew alphabet, as in use in the time of Ezekiel, is a plain cross or X. Chapter ix., verse 4, God bids the prophet to pass through Jerusalem, "and inscribes a mark (*Thov* in the original) upon the foreheads of the men who sigh." The enemy should pass through the city after him and smite all persons except those who bear that mark, as said in verse six; "but come not near any man upon whom the mark (*Thov*) is." Hence the cross or *Thov* as the symbol of life, must have been well known then.

Ezekiel also mentions the crucified god among the idols which the wicked in Israel worshipped. In viii., 14, he says, "And behold, there sat the women weeping for *The Thammuz*." Fuerst in his Concordance thinks this is an Aramaic or Syrian word, for the Phœnician Adonis, whose death was mourned for at the summer solstice during eight days; then his resurrection was celebrated most exultingly. The Hebrews called, in a later period, the month of the summer solstice *Thammuz*. It has its companions in Greek *Thomo*, "to pierce or cut;" *Thomos* is the adjective thereof: and *Thonias* "the astrated" is the noun. *Thammuz* is the month pierced by the solstice. *The Thammuz* is the pierced god, literally "the pierced one," over whom the women wept.

This *Thammuz* or Adonis as he was called after his resurrection, and Adonis signifies "Lord," appears to be the original, of which the Gospel story of the crucifixion and resurrection of Jesus was imitated, in connection with the *Thov* the symbol of life, as the Romans crucified rebels.—*Cincinnati Israelite*.



[THE FOLLOWING NOTES, ILLUSTRATIVE OF THIS SUBJECT, HAVE BEEN COMMUNICATED BY REV. T. STAFFORD DROWNE, D.D., OF BROOKLYN, N. Y.—ED. HIST. MAG.]

[From C. W. King's—*The Gnostics and their Remains, Ancient and Medieval*, 72.]

"It is astonishing how much of the Egyptian and the second-hand Indian symbolism passed over into the usages of following times. Thus the high cap and hooked staff of the god [Serapis] became the Bishop's mitre and crozier; the term *Nun* is purely Egyptian, and bore its present meaning; the erect oval, symbol of the Female Principle of Nature, became the Vesica Piscis, and a frame for divine things; the Crux Ansata, testifying the union of the Male and Female Principle in the most obvious manner, and denoting fecundity and abundance, as borne into the god's hand, is transformed, by a simple inversion, into the Orb surmounted by the Cross, and an ensign of royalty."

[From John Holland's *Cruciana*, 55.]

"The most ancient archetype, it has been thought, which the world ever exhibited, was the remarkable attitude of Moses on the hill of Rephidim; for, says Wheatley, 'the Israelites could overcome the Amalekites no longer than Moses, by stretching out his arms, continued in the form of a cross,' *Exod. xvii.*, 11-13. This lifting up of the serpent in the wilderness was, on the testimony of Christ himself, a typical representation of the crucifixion of the Son of Man; but whether the pole, upon which it was elevated, bore any resemblance to the form of a cross, we have no better authority than the imaginations of the painters, to assist us in determining. A more unequivocal precedent of divine authority for the use of the sign of the cross, has been thought to be discernible in the passage of *Ezekiel ix.*, 4; here 'one of the persons in the prophet's vision is commanded to go through the midst of Jerusalem, and to set a mark upon the foreheads of those who should be saved amidst the general destruction in that city. Grotius inclines to the ancient opinion that, by the *mark* in the text, a cross was to be understood; and we may expect Catholic writers to incline to the same opinion: speaking of the mourning of the saints on account of the evils which are in the world, one of the above-named communion, after quoting from the prophecy of Ezekiel, the words *signa tau in frontibus virorum lugentium*, adds, 'see, how good it is to mourn for evils, since it makes men worthy of receiving the stigmata of the cross?'"

"Doctor Adam Clarke, in his commentary on *Ezekiel*, ix., 4, said:

"The original words *re-hithterita tau*, have 'been translated by the Vulgate, *et signa thou*,' and mark thou *tau* on the foreheads, etc.

"St. Jerome and many others have thought that the latter *tau* was that ordered to be placed on the foreheads of those mourners; and Jerome says, that the Hebrew letter (ט) *tau*, was formerly written like a cross, so, then, the people were to be signed with the sign of the cross.

"It is certain that on the ancient Samaritan coins, which are yet extant, the letter (ט) *tau* is in this form, X, which is what we term St. Andrew's Cross."

"Ruffinus, in his remarks concerning this symbol, says, that the ancient Egyptians are known to have possessed it among them as one of their elementary characters. That such a figure was in use with this singular people, is evident from their hieroglyphics, which represent the god Serapis, with a *tau* or cross on his breast. Socrates, the Church historian, informs us, that when the temple of Serapis was razed from its foundations, 'there were found symbols inscribed on stones, called hieroglyphics; of these some were in the form of a cross; and such of the Gentile converts to Christianity as pretended to understand the hieroglyphics, interpreting this sign as suited their own views, taught that it signified life to come.'"

[From William Durandus in his *Rationale Divinorum Officiorum*, Book v., Chap. ii.]

"The pole on which the brazen serpent was raised, the crossing of Jacob's hands when blessing Joseph's children, the mark *Tau* (*Ezek. ix.*, 4) in the forehead, and the seal on the forehead in the Apocalypse, are some of the representations of the cross here alleged."

[From W. & G. Audsley's *Handbook of Christian Symbolism*.]

"The Anticipatory, or, as it is sometimes termed, the Cross of the Old Testament, consists of three limbs only. It is also called the Typical Cross, \* \* likewise the *Tau* Cross, from its exact resemblance to the Greek letter T," &c.

#### [EDITORIAL COMMENTS.]

It was, indeed, if DAVID KIMCHI speaks truly, a Rabbinical fancy that the letter *Thau* was employed by the angel Gabriel, to be written in ink on the foreheads of the righteous and in blood on those of the wicked—the former to denote that its wearer should live, and the latter to signify the fatal sentence which had been pronounced against those who bore it; and it is equally true that both Jerome and Origen, early Fathers in the Christian Church, are said to have assumed



that that letter was the "mark" referred to by the Prophet in the place referred to; and that, as it was sometimes used in their day by the Samaritans, so, also, it was used, in the days of the Prophet, in the form of a St. Andrew's Cross. Montfaucon, also, says that the Samaritans thus designated the letter on some of their coins; and the Vatican alphabet, published by Angelus E. Roccha, exhibits the last letter in that form.

It is also true, however, that we have no evidence which is worthy of *Historical* employment to prove the characters which the angel Gabriel employed to designate the elected few—if, indeed, that creature was ever employed on such an exalted mission; and it is not very certain that Jerome and Origen really said, concerning the "mark" referred to by the Prophet, what is attributed to them by their more modern editors, since Scaliger would not have failed to allude to such an important averment, while opposing their testimony, had they really made it; nor would he have so boldly controverted their arguments, if he had done so at all, had the testimony of the coins which were current in their day so emphatically sustained them.

It is patent, also, on the face of the prophecy, that the original Hebrew described, not a mere *letter of the alphabet*, but a peculiar *sign* or "*mark*" of separation, by means of which one class could be distinguished from all others, as those of the Veeshnu are distinguished from those of the Seeva, to-day, in the great pagoda, in Hindostan, by means of the longitudinal line of vermillion, marked on their foreheads by the Brahmin; and it is thus particularly described both in the *Turgum* and in the *Septuagint*, as well as by SOLOMON JARCHI, DAVID KIMCHI, and other ancient authorities in Rabbinical literature.

We do not pretend to deny, however, nor do we admit, that the symbol of the Cross of Christ was thus referred to by the Prophet, in his mention of a "mark;" but, as will be seen, we have not yet found any evidence of it which we consider trustworthy when tested by the laws of Historical evidence; nor have we yet seen any reason for considering the X, which, admitting as true all that has been said of it, was thus spoken of, as an equivalent in *History* for the ordinary symbol of the peculiar Cross, the +, which is so clearly associated with Our Saviour and Calvary. We do not pretend to deny, also, nor do we admit, that the mighty men of old carried, generally, as an *amulet* or *charm*, a figure of the Cross of Christ: we simply await the production of testimony to prove that such a figure was a recognized form, generally used for such a purpose, rather than arbitrarily, for fashion's sake, for ornament, as it is now worn, too often, as such, dangling from the ears of vain and silly, if not ungodly and unrepentant, women, or, more

after the ancient style, as scarf-pins, to secure the silks with which both men and women are decorated, too often, at the expense of good taste and Christian propriety. If we do not mistake, the Maltese cross, the very form referred to by our honored friend, Mr. Ewbank, is the badge of office worn by the Aldermen and Councilmen, now in authority in the city of New York; but we should be loath to believe that the wearers of it, in this instance, regard it in the light indicated by Mr. Ewbank; and we should be equally unwilling to be made the innocent instrument for misleading the Ewbank of the future, who may accidentally stumble over the portrait of one of the municipal Fathers of this generation of New Yorkers, and be led to believe from the evidence furnished by this badge, that its wearer considered the bauble either as an *amulet* or a "mark" of his religious character, or in any other light than a toy which contains so much good gold.

We have not the slightest objection, it will be seen, to believe that Ezekiel referred to *Thau* when he mentioned the "mark," in the passage referred to; and that *Thau* was then generally received in the form of a St. Andrew's cross: we only want, what we have not yet found, *Historical* evidence of it. We have not the slightest objection, also, to be convinced that the mark or sign X was an exact synonym of the sign or mark +, in the days of the Prophet, or that it is such a synonym to-day: we only want, what we do not possess, undoubted evidence of its identity, then and now. We have no objection to learn that the Jews—formal, cold, and doubting—recognized in the days of the Prophet what they now reject, the Cross of Christ as a symbol of salvation; we simply await the production of evidence to prove it, as we humbly await the day which shall dawn on the other elect people of God universally recognizing the great truth which that symbol portrays, by practically seeking safety where only perfect safety can be found.

H. B. D.

MORRISANIA, N. Y.

## X.—EARLY METHODISTS AND THE AMERICAN REVOLUTION.

### I.

[From *The Methodist* of March 30, 1867.]

Mr. Henry B. Dawson, of Morrisania, N. Y., publishes a periodical of some value, but of little note, called the HISTORICAL MAGAZINE. Availing himself of the late "centennial" interest of Methodism—for the purpose, probably, of attracting attention to his publication—he opened his December number with an article of seven or

eight large pages, over his own initials, impeaching Methodism as disloyal to the American Revolution. He accuses Methodist historians of a lack of veracity in their accounts of the Church at that period, referring particularly to Stevens's *History of Methodism*, vol. ii, pp. 129, 130. This reference is singularly unfortunate for the accuser, (as we shall hereafter show,) for Stevens fully admits Wesley's political errors, but gives decisive evidence of Wesley's early change of opinion in favor of the Colonists, which Mr. Dawson must have read, according to his reference, but which he entirely ignores—showing a want of candor which must be fatal to his authority on the question. He attempts, however, to place Rev. Mr. Wakely among his indorsers or authorities, as "acknowledging that Mr. Wesley and the early "Methodists, both in Europe and America, were "Episcopalians and Tories." Mr. Wakely will hardly acknowledge the credit, we suppose; all that he says, as cited by Mr. Dawson, is that the little New York society at first "were considered "as part and parcel of the Church of England;" and "communed at St. Paul's church;" and that "Wesley was known to be a great loyalist," etc.; and that "this was the case also with Mr. Fletcher." We are not aware that Mr. Wakely anywhere affirms the American Methodists generally to have been Tories; and if he had so declared, we should not acknowledge his authority.

As a general fact, Englishmen (natives of England) in the Colonies were loyal to the Crown; and it could hardly be expected to be otherwise. Most clergymen of the Protestant Episcopal Church were such, having been educated in England, if not born there. Hence, nearly all such clergymen declined to take side with the Colonial party. Many of them left their parishes, and returned to England. For example: in Virginia, when the war began, sixty-one counties had ninety-five parishes, with one hundred and sixty-four churches and ninety-one clergymen; when the war ended, nearly a fourth of her parishes were extinct, and thirty-four of the remaining seventy-two were without pastors; twenty-eight only of her ninety-one clergymen remained, and but thirty-six parishes were supplied. The Protestant Episcopal clergymen generally, North as well as South, adhered to the Royal Government, for they were generally Englishmen.

In like manner, most of the few Methodist preachers sent over by Wesley, being Englishmen, and forbidden by their ecclesiastical regime to intermeddle with politics, retired from the country to England about the time of the Revolution; but Asbury remained, and was always loyal to the United States. He suffered some inconvenience at the outbreak of the war, as did some of the native preachers—not, however, for disloyalty, but because they could not conscien-

tiously take some of the Colonial test oaths. Each Colony, it must be borne in mind, prescribed its own oath; and in some of the Middle and Southern Colonies, where the Methodist preachers suffered, these oaths required the subscribers to *take up arms* and enter the camp, if called upon by the Colonial authorities. Not only Asbury, but native and patriotic preachers, like Jesse Lee, could not take such oaths. They believed that their call to preach the Gospel forbade it. Their disloyalty amounted only to a refusal to take these oaths. As we shall hereafter show, they were the first ecclesiastical men of the country to acknowledge officially the new Government, and to affirm the obligation of loyalty to it; and the whole history of their Church has been a record of devoted loyalty.

Good old Captain Webb is especially branded by Mr. Dawson; but, obviously, without the slightest reliable evidence. Indeed, the religious circumspection of that devoted man in his peculiar circumstances is admirable. It must be remembered that he was a retired British officer, with half-pay, but, being exempt from the obligation of active service, he consecrated himself, with the most unimpeachable caution and disinterestedness, to the promotion of religion. He lingered some time after the revolutionary storm had broken out, laboring only for the founding of Methodism, and retired at last quietly to his home in England, where he pursued till his death the same exclusively evangelical course.

In the spring of 1777 the good Captain took leave of the Baltimore Methodists in a discourse in which he said they would see his face no more, as he was about to depart for New York on his way to England. He met there a certain John Carey, manager of an iron forge in New Jersey, whom he engaged to get his paper money changed preparatory for his embarkation. A man in Baltimore, knowing (what was no secret) that the Captain was a half-pay British officer, and that he was bound to New York, (then in possession of the British,) suspected him of being a British spy, and accused Carey as his accomplice. Carey was actually imprisoned in Philadelphia under this accusation, but, in a memorial to General Schuyler, stated the whole history of the case, and was discharged. The memorial is among "the Schuyler manuscripts in the possession of "the family." Captain Webb quietly reached New York, and as quietly returned to his English home. Out of this flimsy tissue Mr. Dawson weaves an impeachment of this noble old hero's character. That Captain Webb was true to his well-known position as a retired British officer we have no doubt; we should rather regret to learn that he had not been. But he was practically neutral, and every way decorous to the American public opinion; he kept faithfully



to his one work of evangelization as long as he could peacefully do so, and then honorably retired.

Asbury was at last left alone in the field, protected by the Governor of Delaware, all the other English preachers having retired in the Middle and Southern Colonies—in all the Methodist field, in fine, except the city of New York, which, for about seven years, had no place in the Methodist appointments, and no access to the Annual Conferences, being in close possession of the British army. All the other preachers were native men; they were among the noblest men this country ever produced; they gave themselves exclusively to their one work of preaching the Gospel. We have no evidence what were their personal opinions about the war, for they were utterly absorbed in their own spiritual warfare against the powers of darkness. We only know that some of them refused to bind themselves by colonial oaths to take up arms. Some of them had peculiar notions about war, and did not believe in fighting at all. Jesse Lee, a native Virginian, we know entertained such notions, and when drafted, consented to go into camp as a preacher and wagon-driver, but not as a fighter. He did so, preaching and praying from camp to camp, wielding the power of the Gospel over officers and men for some time, until he was honorably discharged. Bishop McKendree was a faithful soldier down to the surrender of Cornwallis at Yorktown, which he witnessed. Thomas Hare was in some of the hardest fights of the war, bore honorable wounds, and was the intimate friend of Washington. Chieuvrant, a heroic founder of the Pittsburg and Western Virginia Conference, was a veteran of the Revolutionary army. Lastly, Matthews, his fellow-pioneer of the Gospel among the Alleghanies, was also his comrade in the camps of the Revolution, where they read the Bible together by their bivouac fires. Benjamin Bidlack, one of the founders of the old Genesee Conference, and a pioneer of Methodism among the Wyoming and Tioga Mountains, was a Revolutionary hero; Jacob Carter, a founder of the Church in the South, went preaching and suffering to his grave under wounds received in the Revolutionary battles; McCormick, the founder of the denomination in Ohio and all the great "Northwestern Territory," fought through the Revolutionary struggle, and helped to take Cornwallis at Yorktown.

The early Church was full of Revolutionary soldiers, and not a few were in the ministry, entering it soon after the war, without the slightest apprehension that it was a Tory Church, as represented by Mr. Dawson.

But we have hardly entered upon our subject yet, notwithstanding the interest and importance of these details. Many of Mr. Dawson's imputations, especially regarding the New York Society,

Wesley, and the organization of American Methodism, remain to be noticed; and we shall return to the question, for there are few things of which American Methodists can be more justly proud than of their patriotic record. Few matters deserve to be more fully, and, once for all, decisively placed right in history, and we propose to so place it before we dismiss the subject.

## II.

[From *The Methodist* of April 13, 1867.]

We gave an article, a few weeks since, on Henry B. Dawson's editorial in the *HISTORICAL MAGAZINE*, in which he impeaches the loyalty of the early Methodists. It was seen that Mr. Dawson is no credible authority for the facts of the question. We have yet more completely to show his inaccuracy as the editor of a "Historical Magazine." It is seldom, indeed, that a more astonishing misconception and distortion of facts can be found than is presented in his pages.

As regards the little New York society so long isolated by the British army (in possession of the city) from the General Connection, we doubt not that many of its members were, at the beginning of the war, in sympathy with the Home Government; for they were mostly Englishmen, and a very large majority of the population of the city was, at that time, on the same side of the controversy. But most of these English Methodists, like the English citizens generally, left the city, and the little society came out of the war quite generally loyal; and, while the war lasted, they were, as a Church, uncompromised by politics. The old leading families were long known, even to many of us, and were known as sound patriotic citizens, and their children rejoice among us to-day in their honorable record. Mr. Dawson represents them as quite otherwise. He intimates that the British army allowed them to keep their chapel because of their Toryism. This is utterly false. Doubtless the well-known early committal of Wesley on the Colonial question had some influence in their favor; but the British officers spared several other chapels. The Wall street Presbyterian church and the Lutheran churches were equally "respected," because the Scotch and German troops of the British army needed them for Sunday worship. Now it was precisely in this same way that old John street was "respected." It was given to the Hessian troops and their chaplain, who used it on Sundays, and the Methodists could use it only on Sunday nights. Stevens's History states the case correctly, and describes an interesting and patriotic scene which occurred in the old chapel, which is well worth citing:



"During the war, after the battle of Long Island, and, the little church in New York was totally isolated from the rest of the Methodist communion. Before the war it reported more than two hundred members; at its close but sixty. If some of its communicants were royalists at the arrival of the foreign troops, yet, by frequent removals to Nova Scotia and elsewhere, they left a decided majority who were loyal to the Colonial cause. These, however, were wary; under military domination, they availed themselves quietly of any indulgence which the foreigners, out of respect to Wesley's opinions, were disposed to grant them. The higher officers showed them much regard; but the subordinates and the common troops often treated them with disrespect, probably knowing better their real sentiments on the war. They would stand in the aisles during worship with their caps on, and sometimes ventured on more significant offenses. On one occasion, at the concluding hymn, they sung the national song, 'God save the King,' as a test of the opinions of the people. The latter were familiar with a lyric of Charles Wesley adapted to this tune. Their indignation, or patriotism, for once overcame their wonted caution, and they followed the royal song with their own triumphant hymn:

" 'Come, thou Almighty King,  
 " 'Help us thy Name to sing,  
 " ' 'Help us to praise:  
 " ' Father all-glorious,  
 " ' O'er all victorious,  
 " ' Come, and reign over us,  
 " ' 'Ancient of Days.  
 " ' Jesus, our Lord, arise!  
 " ' Scatter our enemies,  
 " ' 'And make them fall!  
 " ' Let thine almighty aid  
 " ' 'Our sure defense be made;  
 " ' 'Our souls on thee be stay'd:  
 " ' 'Lord, hear our call!' " etc.

This is a sufficient vindication of the early New York society; but we must allude to one or two more blunders respecting them.

"Finally," says Mr. Dawson, "when the Tories, at the close of the war, sought safety in exile, 'preferring to reign in hell, rather than serve in heaven,' Rev. John Mann, and probably Rev. Samuel Sproggs, of the John street 'Preaching House,' and a large number of the members of that society, removed to Nova Scotia, where, subsequently, Rev. Freeborn Garrettson—son-in-law of Chancellor Livingston, and a New York Methodist refugee—became the 'presiding elder.' Strange medley, this, of blunders! Now the Rev. Samuel Sproggs here alluded to had been one of the English preachers sent over by Wesley. At the breaking out of the war he retired from the work, to New York, on his way to England, but stayed there preaching for the Methodists, and afterward be-

came a Protestant Episcopal pastor in Elizabethtown, N. J., where he died, and where he is commemorated by a monumental tablet on the wall of his church. He had nothing to do with any expedition of Methodists to Nova Scotia. There was no such expedition. As stated above, the removals of English members of John street Society had been taking place during the war, so that the society, two hundred strong at the beginning of the war, was but sixty strong at its close, and these were good loyal people.

The "Rev. Mr. Mann" was an English layman who had become a local preacher in the city—not a traveling or regular preacher—and preached for the society in its isolation during the war. His name was never in the list of appointments or minutes. He was not ordained even as a local preacher. As an Englishman, he had, we suppose, sympathies with his countrymen; but that he was an active Tory we never heard. He went to Nova Scotia, where he was a useful Methodist, and died respected.

Upon this single fact we suppose the whole of this complicated story is founded by Mr. Dawson; for when Freeborn Garrettson went to Nova Scotia, he found but few Methodists, and they were mostly from the Old Country, or converted in the Province, except some negroes who had fled from the United States for their liberty during the war, and doubtless some few white emigrants from the States.

The whole of this story relative to Garrettson is a flagitious fiction. He was no "Methodist refugee;" on the contrary, he was preaching here, at home, all through the Revolutionary war, with the highest regards of the Church from South Carolina to New York. The very fact mentioned, that he married into one of the most distinguished historical families of the nation, shows how he was recognized. He never thought of going to Nova Scotia until more than three years after the surrender of Cornwallis at Yorktown; till, in fine, Coke came over and organized the Methodist Episcopal Church, and on that memorable occasion solicited him to go to the Province as a missionary.

We are not prepared to say what were the personal opinions of Garrettson respecting the war, for we know of no recorded intimation of them. He was unwilling, like most of his ministerial brethren, to take those colonial oaths which (in the middle colonies) required the preachers to leave their appropriate work and take up arms, if called upon by the local authorities, for he, and they, believed they had a higher, a Divine commission to preach the Gospel. But he was a recognized and influential man, especially in Maryland and Delaware. The mob there persecuted him, as it did all active religious laborers, but only because of his religious activity. The

statesmen and public functionaries of those regions were quite generally his friends, and no man in the Church had greater influence, in the Middle States, than he. Moreover, he was a man of remarkable amiability and Christian prudence. He was not given to political or any other passions. He won all hearts by his suavity and inoffensiveness—even the hearts of the rabble persecutors; and during his long life after the war, as before it, he moved in the best and most patriotic circles of the Middle and Southern States, universally accredited and revered as a citizen and as a Christian.

We have still more blunders of Mr. Dawson's to rectify, especially in regard to Wesley, and the organization of the Methodist Episcopal Church. The later record of Methodist loyalty is clear enough; as pure and as brilliant as that of any American denomination; but its early integrity has often been, at least indirectly, impeached. It is important that it should be justly ascertained and asserted. While we readily admit that there was a mixture of political opinion—royalism as well as liberalism—in its ranks, we affirm that this was not more the case than with other religious denominations; and that, if we except the transient English preachers sent over by Wesley, the Church was, as it has always since been, truly patriotic and national, even beyond most other denominations. Our further proofs, in connection with what we have already submitted, will, we think, settle this question.

### III.

[From *The Methodist* of April 27, 1867.]

We have heretofore shown the inaccuracy of many of the charges of the *Historical Magazine* against the loyalty of the early Methodists to the American Revolution. A few more of Mr. Dawson's (the editor's) errors remain to be corrected. We offer no apology for the leisure and minuteness with which we pursue this investigation; for we are sure it cannot fail to be interesting as developing some curious matters of early Methodist history, and important as presenting a connected and thorough record of facts which have often been misrepresented to our disparagement, and of which we have long needed a fair, complete, and decisive review.

Mr. Dawson accuses Wesley of opposing the colonial movements for Independence, and his American people of co-operating with him in that opposition. Now, this is one of those cases of partial truth, but greater error, which always needs the fairest presentation, the soberest candor, on the part of the critic; for the partisan writer can take his stand on the partial truth,

and not deviate a hair's breadth from the real fact, and yet the result of his statement be a downright falsehood; for "no lie," says Coleridge, "is so completely a lie as that which is 'based upon a partial truth.'" Mr. Wesley was, as we all admit, at first hostile to the American cause; but he changed his opinion, as Mr. Dawson well knows, for he cites a document which gives him the proof, yet he asserts Wesley's hostility without an intimation of his subsequent change of opinion and vindication of the colonial cause.

Wesley at first opposed the colonial movement in *A Calm Address to our American Colonies*. Doubtless some of his English preachers, transiently in the colonies as missionaries at the time, sympathized with his opinions; as Englishmen they could hardly have done otherwise; but Mr. Dawson's charge that the American Methodists generally did so is totally without foundation. On the contrary, we know that a lot of *The Calm Address*, sent over to them for circulation, was suppressed by them, and that it had no influence whatever on the political opinions of the Church.

An Englishman, preaching in New York, did defend him in the *Royal Gazette*, of New York, against a charge of "blowing up the flame" of a London mob in 1780, and of thereby showing disloyalty to his king; and Mr. Dawson cites this defence to show that Wesley and the New York Methodists were opposed to the American movement! Now, every student of English history knows that this London mob—the famous Lord Gordon Riot—was an anti-Catholic outbreak, and had nothing whatever to do directly with the colonial question. Mr. Dawson gives no intimation of this fact whatever; and because Wesley and his friends vindicated his loyalty to his country's laws by declaring that he and his people did not "blow up this flame" in London, Wesley and his people, even his American people, are accused of hostility to the American cause! This is certainly a new sort of syllogism.

The New York English preachers did at this same time publish in the *Royal Gazette* of the city a letter of Wesley's, not bearing at all on the question of the London mob, but evidently written at an early period, showing Wesley's fidelity to his Government, and referring unfavorably to the American question. The design of its publication at this time was evidently to prove that Wesley, being loyal to his country, could not have incited the London mob. But the letter is without date; it only proves Wesley's opinion at a former and indefinite time. We doubt not that it expresses what was Wesley's opinion, throughout the war, of his duty of submission to the administration of his Government, and what was originally his opinion of the



American revolt. But he changed his opinion on the latter question, as we shall proceed to demonstrate.

Before proving this last point, however, we must be allowed to say a word or two about his original *Calm Address*. Mr. Dawson represents it as a plagiarism from Dr. Johnson's famous pamphlet, *Taxation no Tyranny*—it was "purloined" from the latter, says Mr. Dawson. It is well known that Wesley and Johnson were intimate friends; Johnson admired the Great Founder, and only complained that he could not detain him long enough in company to converse with him more leisurely, for he esteemed Wesley one of the finest conversationists in England. Wesley's sister, Martha (Mrs. Hall), was a favorite of the great author, and he tried to induce her to live in his family at Bolt Court, with Mesdames Williams and Du Moulin. Boswell has frequent references to her. No two men, probably, of that day in England had more mutual regard than Johnson and Wesley. Wesley was in the habit of issuing, continually, abridgments of literary works for the common people. He thus sent forth a brief sketch of his friend Johnson's pamphlet; in a second edition he states that it is an abstract of Johnson's work. There was no thought of plagiarism in the matter, and Johnson was delighted with Wesley's conduct respecting it. Stevens's *History of Methodism* gives the facts truthfully. It says that "Johnson, however, not only approved Wesley's use of it, but felt honored by it. He wrote 'Wesley, in return, one of his finest compliments. 'I have thanks likewise to return you for the addition of your important suffrage to my argument on the American question. To have gained such a mind as yours may justly confirm me in my own opinion. What effect my paper has upon the public, I know not; but I have no reason to be discouraged. The lecturer was surely in the right who, though he saw his audience slinking away, refused to quit the chair while Plato stayed.'" Such was the history of this "plagiarism."

But we have affirmed that Wesley modified his opinions on the American question, and had the noble courage to remonstrate with two of the king's cabinet ministers against the war. Again we quote from the *History of Methodism*, which says: "It is due to the memory of Wesley to say that he, meantime, wrote a letter to the Premier, Lord North, and to the Secretary of the Colonies, Lord Dartmouth, remonstrating against the war, and pleading for the Americans. He declares in it that, in spite of all his long-rooted prejudices as a Churchman and a loyalist, he cannot avoid thinking, if he think at all, that 'these, an oppressed people, asked for nothing more than their legal rights, and

"that in the most modest and inoffensive manner that the nature of the thing would allow. "But waiving this—waiving all considerations of right and wrong, I ask," he adds, with prophetic foresight, 'Is it common sense to use force toward the Americans? My lord, whatever has been affirmed, these men will not be frightened; and it seems they will not be conquered so easily as was at first imagined. "They will probably dispute every inch of ground, and, if they die, die sword in hand. "Indeed, some of our valiant officers say, "Two thousand men will clear America of these rebels." No, nor twenty thousand, be they rebels or not, nor perhaps treble that number. "They are as strong men as you; they are as valiant as you, if not abundantly more valiant, for they are one and all enthusiasts—enthusiasts for liberty. They are calm, deliberate enthusiasts; and we know how this principle breathes into softer souls stern love of war, and thirst of vengeance, and contempt of death. We know men, animated with this spirit, will leap into a fire, or rush into a cannon's mouth.' The letter is long, and full of sagacious views and statesmanlike counsels."

This important letter has, within a few years, been given to the public, from the manuscripts of Lord Dartmouth's family. We shall hereafter publish it in *The Methodist*, for it qualifies entirely Wesley's relations to early American history. The American historian, Mr. Bancroft, deemed it of so much importance that, when it appeared, he cancelled several stereotype plates of his seventh volume, that he might insert quotations from it, correcting some of his earlier intimations of Wesley's opinions. American Methodists honor Bancroft's candor; they will regret that they cannot equally respect Mr. Dawson, who, as he refers to this part of Stevens's *History* for some of his charges against Wesley, must have known this conclusive correction of them, but declines to say a word about it! Wesley, then, did at last, and quite early in the war, come to believe that the Americans were "an oppressed people," and "asked for nothing more than their legal rights."

This is sufficient on the main point. But Mr. Dawson persists in his distortion of facts. Read this astonishing paragraph:

"Finally, in the fall of 1784, when the revolted Colonies had succeeded in the establishment of their Independence, Mr. Wesley coldly absolved the members of his Societies in America from their obligations to the Established Church of England, and authorized them to organize an 'Independent Church,' without a single supplication of Divine favor in their behalf—he had not even a naked wish for their success, nor a kind word of brotherly regard at



"the parting, so repugnant were the prevailing ideas in America, and so distasteful the position of affairs in that country, to him and to his friends."

Now, Mr. Dawson refers to Stevens's *History*, and gives the above date accurately: he evidently knew the facts. Everybody that knows them, from Stevens's account, and Wesley's address to the American Methodists at the time, as given in that account, knows that this statement is erroneous. Wesley did not "coldly absolve" them from their obligations to the Established Church; he declared that they had no such obligations. He provided, in detail, a system of independent organization for them, "feeding and guiding these poor sheep in the wilderness," and was ready "gladly to embrace any other way" for the purpose, if any man could point it out to him. He sent over, as their first bishop, one of his chief friends and "assistants," Dr. Coke—his "own right-hand man," as he called him. He asserts in his letter, that "as our American brethren are now totally disentangled, both from the State and from the English hierarchy, we dare not entangle them again, either with the one or the other. They are now at full liberty simply to follow the Scriptures and the primitive Church. *And we judge it best that they should stand fast in that liberty wherewith God has so strangely made them free.*"

Such, then, was John Wesley, and such were "the early American Methodists," in respect to this whole question. Considering the fermentation and confusion of opinions at the time of the Revolution, we hesitate not to say that a fairer and more honorable record could not be demanded. As American Methodists, we are entirely content with it. It is well known, too, that at the organization of the M. E. Church, it was the first of American ecclesiastical bodies to formally recognize the new American Government, and did so in one of its organic "Articles of Religion;" that its bishops, after the inauguration of Washington, represented the Conference in a Personal Address to Washington, recognizing "our glorious Revolution;" and were the first ecclesiastics of the country that did so; that when the "Articles of Confederation" were superseded by the adoption of "The Constitution," the M. E. Church changed its "Article of Religion;" and declared the Government no longer a Confederation, but a "*sovereign nation*;" enjoining loyalty to it as such, and thereby arraying its people, by prophetic anticipation, against the doctrine which led to the late rebellion; and that its people, thus trained to a true national faith, were prepared for the late war, and did more, as acknowledged by President Lincoln to save the nation in that struggle than any other, religious body in the Republic.

## XI.—WORK AND MATERIALS FOR AMERICAN HISTORY.

By GEORGE H. MOORE.

1.—RICHARD WHARTON TO ———, 24 SEPT. 1673.

BOSTON IN NEW ENGLD Sept<sup>r</sup> 24, 1673.

HON<sup>ED</sup> SE<sup>r</sup>.

Those undeserved kindnesses & fav<sup>rs</sup> you have manifested to some of my nearest & most necessitous Relations & those ingagem<sup>ts</sup> you have laid upon my selfe by offering a Correspondence & Communication have sometimes made me ashamed of my so long silence, but the constant hopes I have had of a suddain returne to make a psonall acknowledgement of my obligation, as they have again satisfied me so I hope they will you alsoe: But now finding myselfe wrapped up & confined by buisness & restrained from y<sup>t</sup> opportunity, I am willing at once to lay hold upon this occasion to express my respects & confess my defect in duty to yo<sup>r</sup> selfe and manifest my allegiance & loyalty to his Majesty. I remember yo<sup>r</sup> request & injunction to aeq<sup>t</sup> you with such novell affayres & occurrents as might fall under my knowledge & observation: And I know yo<sup>r</sup> intelligence is such y<sup>t</sup> I need not copy out the Charter & Constitutions of these Colonyes to you, nor informe you of the extent of his Maj<sup>ty</sup>s Territoryes upon this Continent, nor y<sup>t</sup> his subjects have planted themselves & proclaimed his sovereignty in all the habitable p<sup>ts</sup> between Cape-Sable & Cape Romane, nor w<sup>t</sup> a fair foundation was here lately laid for the Royall ofspring of Great Brittain to build a most glorious empire upon, nor need I to you enumerate the many usefull & rich commodities y<sup>t</sup> nature affords & y<sup>t</sup> Art & Industry may produce in these plantations: Onely this I confidently tell you & am psuaded that though these p<sup>ts</sup> of the world are disesteemed by the Princes of Europe, yet if the most potent among them were seated with their subjects upon this continent it would be more difficult to psuade them to returne to their ancient Dominions, then now it is to remove them thence.

You are not ignorant, I know, y<sup>t</sup> his Royall Highness with a vast expence gained (& hath since maintained, from the Dutch a province by them called the Manados, since in his Highness possession New Yorke, which of late is most shamefully given up to the Dutch. The occasion whereof I shall briefly relate to you. Upon the 11 of July last Cornelius Everson with eight ships of Warr & a fire ship attacked o<sup>r</sup> Virginia fleet at the appointed rendezvous for their returne home neer Poynt Comfort & at y<sup>e</sup> same place had the same success as in the yeare 67 (burning & taking 19 sayle) onely y<sup>e</sup> convoyes escaped &

Capt. Gardner by his resolute & good behaviour gained not only from his friends but enemies an honorable report. The enemy having there thus effected their designe resolved to goe unto Delaware Bay to wood and water, but finding no sufficient Pilotts in their fleet for y<sup>t</sup> place & having severall psons of this place prisoners y<sup>t</sup> were well acquainted at N. Yorke, they resolved for Staten Island to recruite & by w<sup>t</sup> o<sup>r</sup> people peeved were rather afraid of receiving some disturbance from New Yorke then giving any to it: But whilst they rid there severall of their countrymen from New Yorke in Canoes & boats went privately aboard and gave intelligence by the weakness & disorder of the place that the Govern<sup>r</sup> was gone to Connecticut, the garrison souldiers most drawne out, the guns in the fort most dismounted or the carriages rotten or unready none fitt to command in place, the people generally dissatisfied with the oppression of such as ruled the towne and trade and y<sup>t</sup> they were ready to revolt: upon which invitations & incouragem<sup>ts</sup> they were emboldened to bring up their ships ag<sup>t</sup> the Towne & finding no resistance landed about 500 men who in a strait & long street leading to the fort (which was very strong & defensible) they marched up to the fort (& in their march were onely saluted with one gunn) & upon their approach the English flagg was struck & the gates sett open, so y<sup>t</sup> without the least dispute or complein<sup>t</sup> the English marched out & the Dutch into the Fort & finding themselves so peaceably possessed & the English so tamely taken, they marched out of the fort again, disarmed those few souldiers that the officers had so betrayed & finding their entrance & entertainem<sup>t</sup> so facil & friendly they made present seizure of the estates of the English & dispatched a small frigott up to Fort Albany with a summons & declaration y<sup>t</sup> N. Yorke had surrendered & offer of the same termes & articles granted to N. Yorke, which without any inquiry or further capitulation were accepted & so the Estates & persons of the English there by their owne inadvertency betrayed into the power of the enemy. Their next stratagem was to invite Col. Lovelace who from Connecticut was gone over to Long Island, to come in, who it is supposed for protection from the deserved punishment answered their invitation, leaving the poor people upon y<sup>t</sup> Island, without commission or commander to stand up for their defence, which y<sup>e</sup> Dutch (having Col. Lovelace prisoner) well understanding required all the Townes upon y<sup>e</sup> Island to send in their constable's staffs & Col<sup>ls</sup> & come to receive new ones from the Prince of Orange, & all the Townes except Southampton readily subjected after the example of their Govern<sup>r</sup>. Some psons from Southampton made application to the Gener<sup>l</sup> Court here for assistance. The messen-

ger John Cooper, a resolute man, proposing it as easy with an 100 armed men to proclaim his Maj<sup>ty</sup> in all the Townes upon Long Island having commission thereto, the English there, though they have carryed in their staffes & Col<sup>ls</sup> being not under oath to the Dutch & desirous to returne to their allegiance would but any appear with commission to require them so to doe. It was further proposed with considerable incouragem<sup>ts</sup> as that w<sup>ch</sup> highly concerned his hon<sup>r</sup> & was the duty & security of the Countrey to raise forces also to reduce New Yorke, which with y<sup>e</sup> Volunteers y<sup>t</sup> would have come in might easily have been effected; But o<sup>r</sup> Deputyes in the Gen<sup>l</sup> Court wholly refused to ingage the Countrey in the undertaking: So the enemy are likely quietly to enjoy w<sup>t</sup> they have acquired till His Majesty give them disrest & indeed my principle buisness as in duty & allegiance I am bound is to informe as a fitt pson to acq<sup>t</sup> his Maj<sup>ty</sup> how much his hon<sup>r</sup> & the maintenance & continuance of his just title upon this continent and adjacent islands call upon him by some speedy & effectual expedition to unkennell his enemys. New Yorke is in the navell of his Majestyes Territorie & his subjects on both sides are so familiarized to the Dutch by trade & converse, y<sup>t</sup> all will not believe they are their enemys. And having such a convenient place of shelter & resort for their shipping his Majesty's subjects will be universally infested if not overrun & conquered in their Plantations & destroyed in their navigation as the said news from Virginia & this day from Newfoundland informs us, viz: That some of those ships y<sup>t</sup> went from New Yorke have been in Newfoundland & taken all the English vessells in y<sup>t</sup> countrey giving us p<sup>ticu</sup>l<sup>r</sup> information of five or six belonging to this Jurisdiction. If speedy care be taken bef<sup>e</sup> the Enemy send furth<sup>r</sup> strength or supplies, two or three frigotts with two or three hundred men for land service with such force as may be raised here will be sufficient. But in such case the frigotts must be here in February or March at furthest or else the Enemy will gain the goal before them. And o<sup>r</sup> souldiers must have warm cloathing & bedding aboard, or else the frost will unfit them for service. The private Capt<sup>ns</sup> ought to be men of courage & experience & were I worthy to advise, the Generall Officer should be elected in this Countrey who by his knowledge thereof & the interests & inclinations of the people here, & the enemys methods & dependances might more gratefully levy & successfully conduct the forces. His Majesty hath many worthy subjects here & psons fitt for command, amongst whom I shall onely name Maj<sup>r</sup> Daniell Dennison, sometimes Maj<sup>r</sup> Gen<sup>l</sup> here. He is a gentleman, a scholar, & a souldier & all that is requisite to make a man a loyall & serviceable subject. But



I am too preptory in such intimations, onely I consider it is not inmediately to my Prince but to my friend, who if anything be pertinent hath prudence to pick it out and candour to pardon w<sup>t</sup> is insignificant. For a more certain knowledge of the constitutions of o<sup>r</sup> gouvernement & complexions of the people I refer you to Mr Edw<sup>d</sup> Rainsborough an intellig<sup>t</sup> Gentleman who went home three months since. I have requested him to wait on you & communicate w<sup>t</sup> I have advised him. If S<sup>r</sup> you should be instrumentall to send any frigotts to these p<sup>ts</sup> hasten them as much as possible (for two may be more serviceable in March than six in May), and if Mr Robert Woolley or any other friends or correspondents of mine desire conveyance for any goods to me, lett me request yo<sup>r</sup> interest to accommodate them. S<sup>r</sup> pray read this as my grounded persuasion of the declension of his Maj<sup>ty</sup>'s interest in these p<sup>ts</sup> without some speedy prevention, & expose not this to the view or knowledge of any y<sup>t</sup> may make relation of it here. Excuse me if neither time, paper, nor your patience without a trespass, will admitt an entrance into p<sup>ti</sup>cular communication which hereafter I may adventure upon. In the interim remayne S<sup>r</sup>

Yo<sup>r</sup> obliged Kinsman & faithfull Serv<sup>t</sup>

RICHARD WHARTON.

Mr Rainsborough dwells at Knights bridge & is to be heard of at Mr Whiting's shop upon the old Exchange.

S<sup>r</sup> My Wife presents yo<sup>r</sup>selfe and Lady with her service desiring her to accept a barrell of Cranberryes & a pott of refined sugar for Winter Tarts, ship'd aboard the Pinck Providence, W<sup>m</sup> Piper, Master.

## 2.—SOME PROPOSITION CONCERNING Y<sup>E</sup> ILL CONSEQUENCE OF NEW YORKE BEING IN Y<sup>E</sup> HANDS OF Y<sup>E</sup> DUTCH, W<sup>TH</sup> SOMETHING IN ORDER TO THE RETAKING AND SETTling IT UNDER HIS MA<sup>TIES</sup> OBEDIENCE AGAIN.

MOST HUMBLy OFFERED TO YO<sup>R</sup> LORDSHIP'S CONSIDERATION, BY W<sup>M</sup> DYRE, GENT.

The Province of New Yorkshire wholly in y<sup>e</sup> possession of y<sup>e</sup> Dutch, is not only a particular loss to his Ma<sup>ty</sup> a generall ruine to his English subjects there, and highly injurious to y<sup>e</sup> adjacent Colonies; but above all prejudiciall to y<sup>e</sup> whole American Trade: by w<sup>ch</sup> his Ma<sup>ties</sup> customes are abated, many m<sup>ch</sup>ants undon, and much shiping lost.

By reason y<sup>e</sup> Enemy thereby has y<sup>e</sup> convenience to repair their ships and recrute w<sup>th</sup> provisions in y<sup>t</sup> port. Taking all opportunity to be at y<sup>e</sup> Capes of Virginia, surprising what ships are bound in thither, w<sup>th</sup> y<sup>e</sup> like advantage upon

all y<sup>e</sup> Coasts of New England, Newfoundland, y<sup>e</sup> Caribbee Island and Carolina w<sup>ch</sup> gives a severe check to y<sup>e</sup> navigation of those parts.

And for as much as y<sup>e</sup> said port of New Yorke is y<sup>e</sup> very center and key of his Ma<sup>ties</sup> Dominions in America, it is as commodious whilest in obedience, or y<sup>e</sup> contrary when in an enemy's hand, as y<sup>t</sup> of Tangiers to y<sup>e</sup> streights or y<sup>e</sup> Downs to ye Channell of England: And y<sup>e</sup> loss of it as hurtfull to his Ma<sup>ties</sup> Western affairs, as those mought be to his Uropan Concerns.

Wherefore if y<sup>e</sup> thing were right stated, and truly represented to y<sup>e</sup> King's most excell<sup>t</sup> Ma<sup>ty</sup> y<sup>t</sup> so his Ma<sup>ty</sup> may be graciously pleased to digest y<sup>e</sup> matt<sup>r</sup> into a resolution of sending some force to reduce y<sup>e</sup> province, and rout out y<sup>e</sup> insulting enemy, who now disturbs y<sup>e</sup> quiet of all y<sup>e</sup> American Plantacons, and greatly impoverishes y<sup>e</sup> poor inhabitants thereof. To prevent w<sup>ch</sup> and all other ensuing mischiefs there, is easie, if his Ma<sup>ty</sup> please to dispatch away 4 ships from 30 to 40 guns apiece w<sup>ch</sup> will be sufficient force, both for safe convoy of y<sup>e</sup> Virginia fleet out and home, and also to make his Ma<sup>ty</sup> master of y<sup>e</sup> said province to a far greater advantage than formerly, by expelling y<sup>e</sup> Dutch inhabitants who have given just grounds for y<sup>e</sup> same, by throwing off their late subjection and obedience to his Ma<sup>ty</sup>. In this Expedition there will beno need of sending land forces from hence, seeing they may be had in New England, if there be occasion, and a way found to pay them of there, w<sup>th</sup>out putting his Ma<sup>ty</sup> to y<sup>e</sup> charg of transporting an army out and home.

If when ye fleet arrive it be found necessary to form a body by land, I dare presume to ingage my life for y<sup>e</sup> raising men enough through my acquaintance and interest in them parts, provided his Ma<sup>ty</sup> be graciously pleased to grant orders for y<sup>e</sup> same, and give commissions to such as are men of estates there, good souldiers and loyally affected to his Ma<sup>ties</sup> service, by whos ready compliance and faithfull assistance y<sup>e</sup> design may soon be accomplished, and y<sup>e</sup> sould<sup>rs</sup> when paid and disbanded, forthwith repair to their respective habitacons again.

But until his Ma<sup>ties</sup> pleasure is to order and command an assistance from y<sup>e</sup> inhabitants of New England, it is most certain they will not move; alledging y<sup>t</sup> New York is a distinct Colony under another Government and confored upon his Royall Highness, Wherefore they have no cause to p<sup>te</sup>nd any just grounds for entering into a warr w<sup>th</sup> y<sup>e</sup> Dutch upon their own account, w<sup>ch</sup> they are ill able to maintain by sea, though by land sufficiently capable if they please to proceed to action, though my p<sup>se</sup>nt fears do aptly suggest (considering y<sup>e</sup> estate of those Colonys and y<sup>e</sup> constitution of their inhabitants) that in this exigent, w<sup>th</sup>out succor, they may be



compelled to embrace such terms as may be of a very ill and dangerous consequence, both to his Ma<sup>ties</sup> and all his good subjects there, if they have not speedy relief by shipping from hence.

In all this I chiefly respect his Ma<sup>ties</sup> interest, and y<sup>e</sup> publique good and also as a dutifull subject have a tender regard to y<sup>e</sup> wellfair of those suffering Plantations, by whos produce his Ma<sup>ties</sup> receives £150,000 customes yearly, upon w<sup>ch</sup> account I am y<sup>e</sup> bolder to spread y<sup>e</sup> case before yo<sup>r</sup> Lordship, psuming to urge it, in hope y<sup>t</sup> by yo<sup>r</sup> noble sense thereof, and generous motions in y<sup>e</sup> same, his Ma<sup>ties</sup> revenue shall be preserved, and y<sup>e</sup> subjects rights secur'd.

When y<sup>e</sup> said place is reduced, the next thing in order to secure y<sup>e</sup> same intire, will be to expell all y<sup>e</sup> people of y<sup>e</sup> Dutch nation, fortify the entrances and settle a garrison so as it shall be almost impossible for any enemy to invade or do spoyl for y<sup>e</sup> future. Especially if y<sup>e</sup> military affairs be put under y<sup>e</sup> command of such experienced officers, as shall faithfully preserve his Maj<sup>ties</sup> interest there, and not destroy it and the Plantations. And then for y<sup>e</sup> better peopling, planting and strengthening of y<sup>e</sup> province it will be requisite y<sup>t</sup> all y<sup>e</sup> farms, houses and grounds of y<sup>e</sup> Dutch inhabitants be sold, for his Ma<sup>ties</sup> advantage at reasonable rates to encourage English settlers in them parts, who may be more induced therunto by his Ma<sup>ties</sup> indulgent Governm<sup>t</sup> of that place.

Thus would it become a flourishing Colony and y<sup>t</sup> immediately if his Ma<sup>ties</sup> please to appoint a Govern<sup>r</sup> that is acquainted w<sup>th</sup> y<sup>e</sup> manners and Constitutions of y<sup>t</sup> Countrey, whom y<sup>e</sup> executing those laws, Acts and Ord<sup>s</sup> both Civil and Ecclesiasticall w<sup>ch</sup> shall be established there, may carry a gentle even Decorum w<sup>thout</sup> rigour, severity or extream compulsion in things of Indifference.

By this means that perpetuall charge w<sup>ch</sup> his Ma<sup>ties</sup> has ever been at, to maintain y<sup>t</sup> place, as also y<sup>e</sup> danger of its being any more lost and y<sup>e</sup> inconvenience of y<sup>e</sup> Dutch Nation inhabiting there may be prevented, and y<sup>e</sup> port so managed as to become y<sup>e</sup> magazin of America, and upon occasion give relief to y<sup>e</sup> neighbour Colonies. But at all times affording a quiet and plentiful subsistence to its own inhabitants, Producing a cleer annuall profit to his Ma<sup>ties</sup>.

First. By a moderate impost upon all merchandize, port duties, great rents, fines and amercements &c.

Secondly. By building ships and otherways improving y<sup>e</sup> timber to make plank, boards, frames, pipe staves and y<sup>e</sup> like for sundry uses there, as well as y<sup>e</sup> advantages to be made by exportation of y<sup>e</sup> same.

Thirdly. By improvement of y<sup>e</sup> trade w<sup>th</sup> y<sup>e</sup> Natives, increase of manufacture, to-

gether with y<sup>e</sup> benefite of corn, cattle and all manner of husbandry.

Fourthly. By taking whales on y<sup>e</sup> south side of Long Island, which is and will be (if encouraged) of very great worth to the plantacon and in a short time bring his Ma<sup>ties</sup> in a considerable revenue.

There are also good benefits to be made of y<sup>e</sup> Iron ore in them parts w<sup>ch</sup> is very plenty, and many other perquisites and immunities conduci- ble both to private and publique advantages.

Lastly, if yo<sup>r</sup> Lordship, to y<sup>e</sup> effecting of y<sup>e</sup> good ends aforesaid, shall be pleased to promote and forward y<sup>e</sup> sending a small force to put a stop to y<sup>e</sup> dayly losses sustained in y<sup>e</sup> shipping and trade of y<sup>e</sup> above mentioned places w<sup>ch</sup> would be profitable to his Ma<sup>ties</sup> and give many thousand poor distressed souls cause to have yo<sup>r</sup> Lordships name in perpetuall honour And heartily to pray for yo<sup>r</sup> Lordships psent health and future happiness, as most unfeignedly does

Yo<sup>r</sup> Lordships  
humble and obliged Servant.

### 3.—“ACCOMPT OF IROQUOIS INDIANS.”

The Iroquois (so called by the French) to the Northward of Manhattens (now New York) and west of Orenge (now New Albany) are Indian Natives, the most warlike in North America, seated in a tract of land west from the said Albany (and head of Hodson's or New York River) to the south of the Lakes vulgarly called the Lakes of Canada; But the said Indians are likewise distinguished by severall names and places or Castles of abode as (by the English) the Maquas or Mahaks live about 25 leagues from Albany in 3 Castles distant about 4 or 5 leagues, stockaded round. The Oneidas live about 30 leagues, more west and have but one castle. The Onondagues live about 10 leagues further, and have but one castle, seated nere the Lake Onontario. The Coyouges are about 15 or 20 leagues further, but more southerly, and further from the Lake, have but one castle. The Sineques live about 25 or 30 leagues more west, Northerly nere the Lake, have 3 Castles or greater settlements, but not fortified distant about 4 or 5 leagues. All the said Indians have Missionary father Jesuits from Canada (and which are also in more distant parts) and all the said Indians have distinct Sachems but were never at variance, their language is the same, so as to understand each other, though with some variation (as in severall provinces of a Kingdome in Europe) Other neighbouring Indians have severall different speeches, not understood by each other. The Sineques have hunting habitations on the other or Northerne side of the Lake Onontario which

Lake is reputed to bee nere 100 French leagues long S. W. and N. E. and above 25 broad and is very deepe water, and on the said Lake the French (about 10 yeares past and upwards) have had a sloop or vessell of about 20 Tuns with sayles and a lyter that tends on a small fort, or trading place, built by Mons<sup>r</sup> La Sale at the north end of the Lake, from whence about 60 leagues to Mount Royall in which space above 30 Cataraks or falls not navigable and 60 leagues to Quebeck navigable, there is usually in Cataroquy kept about 15 or 20 men the said Lake is distant from Albany about 50 or 55 leagues.

The above said Indians have allwayes had a good correspondenee and friendship with Albany and beene understood or taken to bee as other neighbouring Indians on this side the Lake's dependence and part of the Government, which themselves doe also owne and have beene no otherwise treated for many yeares; But the said Indians particularly Maquas or Mahaks had continued disputes and warrs with the French of Canada, till about the yeare 1668, when the French made 2 inroades into the said Maquas or Mahaks country; the first with about 500 men but mistaking their way and the Indians prepared they retreated with some losse; their second expedition and inroad was with 1000 men or upwards and then they surprised the said Indians who all fled, and the French entred and burnt their Castles and then they made peace which hath been observed ever since, and a free trade (tho' sometymes endeavoured by the French to be diverted from other parts) to Canada, where they sell to the Indians all sorts of goods and liquers, and particularly armes, powder, shott &c. as in other places.

In the yeare 1675 the said Indians having made application to the Governour at Albany and the New England Indian Warr being then very violent, the Governour resolved as necessary to goe himselfe, as far as the Maquas or Mahaks habitations to visitt and view them as part of the Government and went to their farthest Castle, and was received and treated by them there accordingly, and after sent to the others as far as Singues, and they observed and obeyed his directions and orders and proved very faithfull &c. And the Mahaks were the first that beat Phillip the Indian Sachim of New England who had wintred that way in hopes to gaine them or others, Driving him back to New England sea side, and would have pursued if suffered. The said Iroquois and their lands are seated on the back of the Kings plantations and head of the Rivers as far West as Virginia, and east neare to Albany, and some settlements and improvements are made by Christians upon part of their said land purchased or gott from the Maquas or Mahaks within Stanextady and Albany's Bounds in

New York Government, and the said Indians habitations and castles are in or about the latitude of 43 degrees (M<sup>r</sup> Pens Northerne Bounds of Pensylvania.)

The said Iroquois and all other Indians in those parts are greate hunters of all sorts of wild creatures, beasts and fowles, which they kill most with fire arms (except Beavers) and trade with all Christians for what they want, and are by them supplied perticularly with armes and ammunicon (as in Canada, so) in all his Ma<sup>t</sup>s plantations of New England, New York, New Jersey, Pensylvania, Mariland, Virginia &c. And if debarred or prohibited by any one Colony or Government, the said place would not only loose the trade to the benefit of the other neighbouring parts, but hazzard greater mischiefs from the said Indians discontent, by their pilfring, private injurys, or open warr, which would bee very prejudiciall, not onely to the interest of his Roy<sup>l</sup> Highness (the Proprietor.) but even to all other his Ma<sup>t</sup>s neighbouring subjects, in as much as in the late New England warr with the Indians 'tis probable all those Countreyes would have beene in greate danger of being destroyed, had not the Government of New York retained an influence over these Indians, not onely as they are reputed part of the Government, but with their constant free trade with those of New Yorke.

## XII.—NOTES.

MAINE COLONIAL RECORDS.—If to the generous and just attention to History, manifested by the Legislature in the late appropriation, is added a discerning and prudent application of the ample fund, the Historical world will gradually see the rich, invaluable, and almost undisturbed stores of manuscript in the archives of York County, at Alfred, *in print*: a literal, complete, trustworthy copy. Every record, will, deed, deposition, *every paper there*, prior to 1700, should be printed in full, with punctilious fidelity; and every volume should have a perfect index of subjects, names and places. No money should be wasted in luxury of paper or binding. We want the records, the papers, *printed just as they are*, and will dispense with all costly, frivolous and fancy extras which would be only a waste of the State money, and poor encouragement to further grants. Public opinion justly requires a rigid application of this money to actual historical matter, and not a hair's departure from it in idle and expensive enquiries about the dream-lands of Norumbega. The *Registries* at ALFRED contain the matter to be printed.

EBOR.

## XIII.—QUERIES.

Who wrote the "Expotulatory Letter" to Washington as a Slaveholder, the preface to which is dated "LIVERPOOL, February 20th, 1797"?  
 ROSCOE.

Who wrote "Biographical Memoirs | of the | illustrious | Gen. George Washington, | Late President of the United States of | America, | and | Commander-in-Chief of their Armies, | during the Revolutionary War. | Dedicated to the Youth of America. | Barnard, Vt., | Published by Joseph Dix, | 1813. | I. H. Carpenter, printer"?  
 BRATTLEBORO.

BURK, THE HISTORIAN. — Mr. Buckingham, in his *Reminiscences*, ii., 300, says of Burk, the author of *A History of Virginia*: "Burk, afterward, was the editor of a political paper in New York, called *The Time Piece*, and was arrested on the charge of publishing a libel, contrary to the provisions of the Sedition Law of 1798. The issue of the affair I never knew."

Is anything known of *The Time Piece*, or of Burk's career in New York? S. L.

PETERSBURG, Va., April 27, 1867.

## XIV.—REPLIES.

To the Historical Magazine:

A querist in the March number of the MAGAZINE (p. 180) gives a copy of a \$3.00 bill of the Detroit Bank, dated the first of November, 1807, signed "W. Flanagan, Cashr," and "Jas. Henry, Pres't," and asks its history.

The Territorial Government of Michigan was organized the second of July, 1805, Gen. Hull, Governor. Several Boston merchants were then engaged in the fur trade. On the third of March, 1806, Russell Sturgis and several other well-known Boston Merchants petitioned the Territorial Legislature for a Charter for the Bank of Detroit. In anticipation of the granting of the Charter, on the twenty-seventh of May, several of the same gentlemen signed a bond as sureties of Wm. Flanagan as Cashier of a bank to be created. The petition was not presented until the sixth of September; and on the fourteenth of September a charter was granted with a capital of \$400,000. Wm. Flanagan became Cashier, and Chief-justice Woodward, President. A building seems to have been erected for it in advance, for on the second of October, a lot was granted to the Bank where the bank-building had been erected. This was a one-story brick building, on what is now the North-west corner of Randolph Street and Jefferson

Avenue, one of the most prominent corners in Detroit.

The creation of the Bank brought a great storm upon the Territorial officers. The Act was bitterly attacked in Congress by Josiah Quincy, Sr.; and on the third of March, 1807, Congress passed an Act disapproving, and thus virtually annulling, the Charter. There was a violent discussion in the Eastern newspapers, and the impeachment of Judge Woodward was openly talked of. In defiance of the Act of Congress, the bank continued business until a penal Act was passed by the Territorial Legislature, on the tenth of September, 1808, against unauthorized banking. When Gen. Hull was re-nominated for Governor in February, 1808, he was charged with having paid off the troops in the bills of this Bank after its Charter had been disapproved by Congress; and this, for a while, delayed his confirmation.

When Chief-justice Woodward ceased to be President, and Mr. Henry was chosen, I do not know, but probably after the Act of Congress of the third of March, 1807.

The name of the cashier was, I think, Wm. Flanagan, not Fanagun, as your correspondent has it. C. J. W.

DETROIT, March 27, 1867.

THE MONUMENT TO CHIEF-JUSTICE POPHAM. (H. M., New Series, I., 234).—The notice of "the eloquent and ingenious Address, at the Two hundred and fifty-seventh anniversary of Popham's Colony at the mouth of the Kennebec," may need a little attention. If the critic had consulted one of our best dictionaries, he would have found a meaning for the word "consecrate," good enough to have screened the sentence selected, from his censure; and if he had gone to a classical one, he would have found that the original of our English word sometimes has the sense of perpetuation, by giving the immortality of honor. So Cicero uses it: "*Nominis memoriam consecrate.*" All the difference between the two citations is, that the one is in the passive, the other in the active form. So, too, Horace writes: "*Æacum \* \* \* divitibus consecrat insulis.*" as in the same spirit he says:

"—*incisa notis marmora publicis,  
 Per quæ spiritus et vita redit bonis  
 Post mortem ducibus.*"

The difference as to Popham is, that his honorable name is "incised" in granite instead of marble.

It is noteworthy how certain writers in Boston become captious, when their thoughts are turned toward the Popham Colony. They are prone to apply them to little things, such as the style of



the Latin letter, probably written by Seymour, signed by the President; the character of the laborers; certain mythic tales about some dogs, gunpowder, and a cannon; and the language of the late Orations. But they seem to ignore the great principles connected with this initial enterprise, under the Charter of the tenth of April, 1606, of which this effort was the first exponent, as were the Patents to Plymouth and Massachusetts Bay, later exponents, deriving all their legal force from this Royal Act of James.

Why are these writers so uneasy? Are they afraid that the "Rock" is in danger of tottering?

CUMBERLAND.

## XV.—PROCEEDINGS OF SOCIETIES.

### 1.—MAINE HISTORICAL SOCIETY.

Through some unknown and therefore unexplainable occurrence, the Special Meeting of this Society has not been noticed in this Magazine. If not too late to recall the incidents of that occasion, it may be proper to state that it was held at Augusta, in the early part of last February, and was a gathering of unusual spirit, and a benefit to the historical pursuits of the State.

A soldier's Orderly-book, at the siege of Fort William Henry, and also a Cryptographic Journal in Latin, kept by "Handkerchief" Moody, of York, 1723-4, were presented and examined. A paper was read explaining and localizing the Indian names in a part of Purchas's *Pilgrimage*. The writer was requested to prepare an edition of that part of the work of Purchas relating to Manosken. A communication was read on Thomas Purchase, the first settler on the Androscoggin, in 1628. Action was taken in regard to a history of newspapers in the State. A memorial was authorized, relative to the purchase of the Library of Peter Force, Esq., of Washington, by Congress. The Hon. E. Hamlin exhibited a large collection of Indian curiosities, recently taken from near the banks of the Penobscot. Dr. True intimated that a careful examination of the materials of stone weapons might lead to the quarries whence they were taken. The President, the Hon. E. E. Bourne, exhibited a letter of Sir William Pepperell, taken from behind a panel over a fire-place in an old house in York.

Resolutions were passed to solicit the co-operation of the Historical Societies of the different States, in asking the aid of the General Government in the publication of a proper work illustrating the Geography of American History.

The President read a paper on the office of

Historical Societies, in preserving materials for local and general history.

Resolutions were passed for proceeding with the publication of the Seventh Volume of Collections; and to ask the aid of the Legislature, then in session, in the publication of the documentary history of the State, which was soon after generously granted.

Frederic Kidder, Esq., of Boston, made a statement concerning the condition of the Eastern portion of the State during the Revolutionary conflict, and the part taken therein by Col. John Allan, to secure the fidelity of the Indians on the St. John and Passamaquoddy to the cause of the Colonies. The interesting Journal and letters of this active officer are in the hands of Mr. Kidder for publication, with a map and historical notes.

Measures were taken to preserve materials for the Military history of the State during the late war, and were advocated by Gov. Chamberlain.

On the publication of the documentary history of the State, it may be pertinent to remark, that the Society, through its Committees, is already taking steps to procure the needed documents from the English Archives. These portions will be followed by Charters, and other ancient papers, which are expected to throw much light on the early history of this first-settled region of our Northeastern shores.

### 2.—MASSACHUSETTS HISTORICAL SOCIETY.

The Annual Meeting of the Massachusetts Historical Society was held on Thursday, the eleventh of April, at their rooms in Tremont street, Boston, the President, Hon. Robert C. Winthrop, in the Chair. Reports were made by the Standing Committee, the Librarian, the Treasurer, and the Cabinet Keeper, which elicited some interesting discussion. The following named gentlemen were elected officers for the ensuing year:

*President*—Hon. Robert C. Winthrop.

*Vice-Presidents*—Colonel Thomas Aspinwall, Hon. John C. Gray, LL.D.

*Recording Secretary*—Charles Deane.

*Corresponding Secretary*—Rev. Chandler Robbins.

*Treasurer*—Hon. Richard Frothingham.

*Librarian*—Thomas C. Amory.

*Cabinet Keeper*—Samuel A. Greene, M.D.

*Standing Committee*—Rev. George E. Ellis, Henry W. Torrey, Samuel Eliot, William C. Endicott, Wm. G. Brooks.

### 3.—AMERICAN ANTIQUARIAN SOCIETY.

The Semi-Annual Meeting of this Society took place at the hall of the American Academy in

Boston, on the twenty-fourth instant, at 11 o'clock in the forenoon. Hon. Stephen Salisbury, the President, in the chair. The record of the Annual Meeting in September last was read by the Recording Secretary, together with a record of a Special Meeting called to take notice of the death of Dr. Wm. Jenks, late Vice-President of the Society.

Rev. Dr. Hill then offered the Report of the Council. He spoke of the acceptable manner in which Mr. Barton had discharged the duties of the office in the absence of Samuel F. Haven, Esq., Librarian of the Society. He said the Council were happy to receive from Mr. Haven the assurance that his voyage and travel have been highly beneficial, and that in the early summer his return may be expected with enlarged ability. He will not only bring back fresh vigor, but will come enriched and able to enrich others by the acquaintance which he has made with rare manuscripts, deposited in the archives of libraries, and with the interesting discoveries of relics of an ancient people among the deposits of the Swiss lakes. He has spent the larger portion of his time, since he left, on the shores of Lake Geneva, and by his previous acquaintance with the remains of Indian tribes of our country, their implements of war, husbandry and domestic uses, will be able to institute intelligent comparisons between them and those of the "Age of Stone" in that vicinity, which are now exciting so much attention among the antiquarians of Europe. He spoke of a letter received from Mr. Bergenroth, a ripe antiquarian scholar of London, to the late Jared Sparks, Secretary of Foreign Correspondence, refuting a prevailing opinion that the name Brazil was not used until after the discovery of the country to which it was applied. Mr. Bergenroth offers in support of this theory that Brazil was familiar to navigators long before the country is said to have been discovered, of which he alludes to several instances. The letter was written in consequence of different opinions entertained in the Report of the Council, made by Rev. Edward E. Hale, to the Society in 1865. The inquiry is a curious one, and the documents referred to, if found to contain as stated, will prove of great interest and value.

He said Mr. Deane, an indefatigable co-laborer, has secured for the Library, during his visit to Paris, Sebastian Cabot's map, reprinted by Jomard. Not the same which hung at Whitehall, of which Mr. Baucroft speaks, but one of equal intrinsic value in perusing the history of the early discovery of this continent.

Dr. Hill speaks of additions to the Library, consisting of 455 bound volumes, and 5226 pamphlets. There are now 1908 bound volumes of newspapers upon the shelves, of which 237 have

been bound since the last meeting, and a very large collection of newspapers are now awaiting arrangement and completion for binding. Among other gifts deserving special notice, is the *Life and Letters of John Winthrop*, from 1630 to 1649, by the Hon. Robert C. Winthrop, a work that will take its place among the standard histories of the Colonial times, to be read with interest and regarded as authority in all time.

The report dwells with enthusiasm on the noble position which Gov. Winthrop took when he was tried for tyranny and oppression, and the most honorable result of that trial. His definition of civil liberty is noticed with great commendation by De Toqueville in his remarkable essay on Democracy in America.

Two influential members of this Society have been removed by death, Rev. William Jenks, D.D., LL.D., the senior Vice-President, and Hon. Pliny Merriek, LL.D. Dr. Hill spoke in touching terms of Judge Merriek, for thirteen years a counsellor of the Society, whose interest was manifested long after he was obliged to retire from professional duties by severe illness. He was present at the last Annual Meeting of the Society. The character of his mind and his judicial services were described, and a touching account of the closing days of his life was given.

The Report of the Treasurer, Nathaniel Paine, Esq., shows that the aggregate of all funds held by the Society is \$51,549.84; cash on hand, \$561.52. There has been no change in the investments.

After the acceptance of this report, on motion of Hon. Richard Frothingham, Rev. Edward E. Hale explained his statement noticed in Mr. Bergenroth's letter. He said the name Brazil came from the Portuguese word Braza, the name of a wood, and that Islands bearing this wood were called Brazil Islands as others are called Spice Islands before the name Brazil was given to the country. Mr. Deane and Mr. Hale united in an interesting illustration of the subject Brazil.

Charles Deane, Esq., presented to the Society a fine copy of Jomard's edition of Cabot's *Mappe Monde*, which is a very desirable addition to the collections of the Society. Mr. Deane stated that the death of Jomard defeated his intention to publish a descriptive addition which Cabot annexed to the map, but it is now expected that this will soon be published. The map shows that Cape Breton was the Prima Vista, the first land discovered, and that it was not Hudson's Bay, as Mr. Biddle contended. Mr. Deane made other important observations descriptive of the map.

The Society voted thanks to Mr. Deane for this valuable gift, and also voted that both he and Mr. Hale be requested to report the substance of

their remarks for publication with the proceedings.

John G. Metcalf, M.D., of Mendon, Rev. Geo. S. Paine, of Worcester, and George Peabody, of America, were unanimously elected members of the Society, and the meeting was adjourned.—*Spy*, April 25.

#### 4.—THE LONG ISLAND HISTORICAL SOCIETY.

April 4, 1867.—REGULAR MEETING. J. Carlson Brevoort, President, in the chair.

A Paper was read by Dr. Isaac I. Hayes, on *Greenland Glaciers and Icebergs*.

April 18, 1867.—SPECIAL MEETING. Rev. R. S. Storrs, Jr., D.D., in the chair.

Paper by Rev. William L. Gage, on *Prussia and the German War*.

During the month of April fifty-one new members were elected.

#### 5.—THE FIRELANDS HISTORICAL SOCIETY.

The third Quarterly Meeting of the Firelands Historical Society, for the current year, was held in the Methodist Church, at Townsend Center, Ohio, on Wednesday, the thirteenth of March, 1867.

A bountiful repast had been prepared by the ladies of Townsend, and immediately after the meal the meeting was called to order by Vice-President E. Bemiss, who requested the Rev. P. B. Stroup to offer the opening prayer.

The minutes of the previous meeting were then read and duly approved.

The Constitution was also read, and the names of thirty-two new members were added to the list.

On motion of Judge Parish, the Society accepted an invitation for interchange of visits with the Maumee Association.

The presentation of relics being next in order, the following were handed in, viz:

By Mrs. Mary Tillinghast, of Townsend, the "Old Boone Family Bible," 146 years old, formerly owned by her great-grandfather, in 1721; also, by the same, a stand 76 years old, and formerly owned by her mother in 1791. By Abiel Farley, a keepsake, being a large worked woolen pocket-book, which had been handed down through four generations past; age unknown. By H. T. Sherwood, of Townsend, a curiously wrought stone, semicircular in shape, and about five inches long, round, pointed at the ends, and a hole through the middle; the above was plowed up in March, 1866, one mile north of the center of Townsend. By F. D. Read, of Norwalk, the stuffed skin of a wild cat which was

killed in Ottawa County, some time in February last; the animal measured about three feet in length, and about twenty inches or two feet in circumference around the body; the above was exhibited as a specimen of those formerly infesting this section of the country. Mr. Read related several instances of the depredations of this animal and the wolf, who were formerly the terror of the inhabitants of the Firelands. By F. A. Breckinridge, of Townsend, formerly Lieut. Co. "C," 123d O. V. I., a writ of *capias ad satisfaciendum* issued by Gabriel Jones, Clerk of Court of Hampshire County, Virginia, in the year 1760, and in the thirty-fourth year of the reign of King George II., against one Peter Steinberger, at the suit of one John Frazier; this writ was found by Lieut. Breckinridge in the Court House at Romney, West Virginia, some time in March, 1863.

The Committee of Arrangements having been unable to procure the attendance of some person to deliver an address upon the occasion, remarks were then made by the following Pioneers present, on early pioneer life, viz: F. D. Read, Judge Parish, George Tillinghast, James Arnold, E. O. Merry, Martin Denman, Amasa Finch, O. H. Van Tassel, and Vice-President Bemiss. These short exercises were very interesting to all present.

The Biographer not being present, the Secretary announced the death of another Pioneer since the last meeting, viz: Benjamin Beason, who was residing in Norwalk at the time of his death, but who had been for many years previously a resident of Townsend; he first came into the Firelands in 1819, and settled in Clarksfield. His death occurred on the twenty-second of January, 1867, at the age of 78 years.

The Society voted to leave the question of the next publication of the *Pioneer* with the Committee on Publication.

The following named gentlemen were then appointed a Committee of Arrangements to prepare for the Annual Meeting at Norwalk, in June next, to wit: O. Jenney, F. A. Wildman, L. Redding, John Miller, Isaac Underhill, D. A. Baker, and George R. Walker.

On motion of the Secretary, a vote of thanks was given to the Committee of Arrangements, the ladies of Townsend, and the citizens generally, for the very bountiful and hospitable entertainment given to the Society on this occasion.

The meeting was well attended, notwithstanding the very bad condition of the roads, which were almost impassable, as they often are at this season of the year—the Methodist Church being filled to overflowing, and holding three to four hundred persons.

Very appropriate and touching remarks were made by Vice-President Bemiss, at the close of the exercises above referred to.



On motion, adjourned, to meet in Norwalk on the second Wednesday in June next.

The audience then joined in singing the Doxology in the tune of Old Hundred, when a benediction was pronounced by the Rev. P. B. Stroup; and so ended a very pleasant re-union of the Pioneers.

#### XVI.—BOOKS.

1.—*Addresses of the city of New York to George Washington, with his replies.* New York: 1867. Octavo, v., 14.

This is another of the privately-printed volumes which are making the present time a notable one in the history of book-making throughout the world.

It professes to be a collection of the *Addresses of the city of New York*; and it consists of, FIRST, an Address by "the PROVINCIAL CONGRESS of *the Colony of New York*," on the occasion of General Washington's assumption of the command of the army at Cambridge; SECOND, an Address of "the CITIZENS of NEW YORK, who *have returned from Exile, in Behalf of themselves and their suffering Brethren*," three days before the evacuation of the city by the British; THIRD, an Address of "the MAYOR, ALDERMEN, and COMMONALTY of the city of New York, in *Common Council convened*," on the occasion of the investiture of the General with the freedom of the city; and, FOURTH, a similar Address to the last, which was presented to President Washington, "on his safe arrival in this Metropolis" after the organization of the Federal Government under the "Constitution for the United States."

It will be seen that of the addresses referred to, only one-half were actually made by "the city of New York" or in her behalf; and we would suggest an amendment of the title to the work, when a new edition shall be printed.

In the elaborate Introduction, the Editor tells us that "George Washington visited the City of *New York* on several memorable occasions—"five in all," etc. The first of these was in February, 1756, when he went to Boston "to consult Major-general Shirley, the British Commander-in-chief, on a point of military precedence"—certainly a "memorable occasion" among those which were less memorable. The second of these visits was in June, 1775, when on his way to Cambridge to assume the command of the Revolutionary army, on which occasion "the city of New York," for good and sufficient reasons, did not see fit to present any "Address" to him, the Editor of this volume to the contrary notwithstanding. The third visit was in April, 1776, when he removed the Headquarters of the Army to this city, when, also, there was

no "Address" offered to him by any one. The fourth visit was on the twenty-fifth of November, 1783, when the enemy finally abandoned the State, when, also, "the city of New York" made no "Address," nor was one made for her. The fifth visit was on the occasion of the General's assumption of the honors and responsibilities of President of the United States, when he was duly Addressed, as stated.

The Editor tells us, also, that Beverly Robinson of New York was Washington's "early school-fellow," of which we confess we were previously ignorant; and he tells us, also, that a "war for independence" was being waged in June, 1775, of which we were, before, as wholly ignorant as was the Provincial Congress itself, who then Addressed the insurrectionary Chief.

In the first Address—that of the Provincial Congress of New York—the Editor has been pleased to divide the first paragraph of the original from which he copied; and the effect has been to make sheer nonsense of what, but for this impertinence, would have been very significant and very sensible.

The signature of "SAM'L BROOME" is omitted from the second Address, although it appears in the original manuscript, in the copy from that original which was published in the January number of THE HISTORICAL MAGAZINE, and in Rivington's *New-York Gazette*, from which the Editor seems to have tried to take a copy.

The printer, a modest man and good workman, probably Mr. Munsell, has made a very neat book without leaving his imprint on it; and Mr. Menzies has permitted his private plate of Washington to be used for its illustration.

We do not know, certainly, for whom the work was printed; although we suppose a portion of the members of the Bradford Club are concerned in it; and we understand that the edition numbered only seventy-five copies, all of which are strictly for private circulation.

2.—*Memorial of Charles H. Marshall.* New York: D. Appleton & Co., 1867. Octavo, pp. 96.

This privately-printed memorial of Captain Charles H. Marshall opens with a sketch of his life and character, written by the friendly hand of his son-in-law, William Allen Butler; and it closes with reports of the proceedings of the various Societies, Banks, etc., in which his influence had secured for him official position or unusual private importance.

From the former, we learn that Captain Marshall was a native of Washington County, New York, where he was born on the eighth of April, 1792.

His early life furnished no item which was considered noteworthy by his eulogist. He

was evidently such a sailor as was seen on thousands of other decks than that which he trod; and there is no doubt he shared with the men of his class all the traits—good, bad, and indifferent—which have always distinguished them from all others.

It is proper to notice, in this place, that Captain Marshall's ancestry is carefully traced through Washington County and the *Jersey* prison-ship to the island of Nantucket; and we have learned from this volume, as we have learned from some other works of a similar class, how much is often thought by some of what by others is not considered of any consequence whatever. If our recollection of Captain Marshall is correct, he was the founder of his family, which, had he not lived, would not have been heard of outside of Washington County; and we fancy that he cared as little for his ancestry as he did for the ancestry of any other person.

It is proper, also, to suggest that when Nathan Coffin—Marshall's grandfather—"before the Revolution," went to London, chartered a vessel; "freighted her with a cargo of assorted merchandise for a home port"; procured a permit from the English Admiralty authorizing him to enter any port on the American coast; sailed with that permit on board for Nantucket; was seized on the high seas by an English man-of-war; carried by way of Martinique to New York, "where he was thrown into the prison-ship *Jersey*, of infamous memory," and shared the privations and cruelties which disgraced the British occupation of our harbor; and while there was abandoned by his cousin, who was enlisted from the *Jersey* into the Royal navy and subsequently became an Admiral and a Baronet; he was a party to transactions which were very remarkable—it is at once so novel and so refreshing, that we only regret that Mr. Butler has not told us more about the matter.

We were, before, aware that *smugglers* were sometimes seized by English cruisers "before the Revolution;" but we have never before heard of such an outrage as this upon an *honest trader*; and as it does not appear that Captain Coffin appealed from the decision of the *prize-court*, before which, "before the Revolution," at Martinique, his case must have been brought for adjudication, the subject speaks volumes in support of his claim to the virtue of meekness and unquestionable loyalty, and marks more plainly than before the infamy of those who, also "before the Revolution," threw him into the *Jersey* and deprived him of the counsel and co-operation, while on the *Jersey*, of his cousin Isaac, who sold himself from the prison-ship to the enemies of his country.

What a glorious service Mr. Butler has done to the cause of History in thus unearthing an-

other cause which justified the Revolution of 1775-83; and we respectfully bow him into the ranks of those profound historians who write for *The Ledger*, with a hope that he will pursue his enquiries and ascertain, definitely, just *when* the Revolution began; precisely *what* authority the Admiralty permits possessed "before the Revolution;" *when* the *Jersey* was first employed as a prison-ship; and *when* Sir Isaac Coffin entered the Royal navy, and under what circumstances; etc.

Mr. Butler informs us, however, that this honest trader of Nantucket, after his release from the *Jersey*, "lived to see the full triumph of the cause of Independence," and died in 1813. We supposed, judging from what we have heard elsewhere, that it was not until the close of "the second war of Independence," in 1815, that that "triumph" approached completion—indeed, some learned members of the Loyal League Club, of which Mr. Butler has probably heard something, have sometimes insisted that this "triumph" is not yet "full," and will not be until Andrew Johnson shall have been impeached and deposed from the Presidency and General Butler placed in the vacant seat.

There are other "yarns" in this volume which Mr. Butler should have left undisturbed in his father-in-law's fore-castle—where the latter had more wisely left them, undisturbed—but he has told us, admirably, of Captain Marshall's professional career, of his honest bluntness in political affairs, and of his rigid regard for *authority*, wherever placed. He has left to John Jay's capable pen the duty of describing Captain Marshall's Christian character—displayed chiefly in his celebrated telegram—and what is assumed to have been his active co-operation in "the vigilance of a free people, exercising free speech," even under the guns of Fort Lafayette, "and his rejoicing on the blessings of a free press," even in the neighborhood of *The World* office and that of *The Journal of Commerce*.

We recollect Captain Marshall very well; and it was our lot, during some of the darkest days of the war, to see him frequently and to know just what he *did* do and just what he *did not* do in that very important matter.

Mr. Jay is doubtless acquainted with much that Captain Marshall said and did while the insurgents were threatening the Union; but he does *not* know that Captain Marshall ever justified one violation of the organic law of the Republic to counteract another, nor did he ever hear the blunt old sailor pay any less respect to one Section of the Constitution than to *all* others. He does not know, also, that Captain Marshall was such an Abolitionist as he (Mr. Jay) is; although he may know that Captain Marshall was just such an anti-Slavery man as he (Jay) was

when he signed, at the head of the Roll, the States Rights Democratic platform of THE FREE DEMOCRATIC LEAGUE, of which both he and his honored father, as well as John P. Hale, and Minthorne Tompkins, and William A. Hall, and Henry B. Dawson, and Edward A. Stansbury, and D. D. T. Marshall were members, and Henry Wilson an employee.

The book is neatly printed, and is illustrated with a portrait of the deceased.

3.—*The Cow Chase*: a poem in three cantos. By Major John Andre, Adjutant-General to the British Army in New York, in 1780. Albany, N. Y.: Joel Munsell, 1866. Small quarto, pp. 98.

We have, in this volume, the first of Doctor Hough's projected "RIVINGTON SERIES" with which he expected to do wonders, *privately*, either in opposition to, or in the wake of, the series *publicly* proposed for private publication by THE RIVINGTON CLUB of New York.

There are five pages of "Preface," in which *eleven whole lines and small portions of two others* are taken up with a description of the interesting events which the Poet celebrated in the text of *The Cow Chase*; six others with a *guess* that the subject was proposed to Andre by John Thompson, the Agent of the Wood-cutters; two others with another *guess* that it was written at No. 1 Broadway, New York; three others with a "report" concerning the day on which the Printer received the "copy" of the last Canto; five others in telling that "the army under General Washington" was, at the period referred to, "too weak for any aggressive movement"—as if the very march of General Wayne's command, from Totoway to Bull's Ferry, in order to attack this Block-house, was not a very "aggressive movement"—and a full *page* and one half of another in telling how much the army suffered during the summer of 1780—as if that had anything to do with General Wayne's dash at the Block-house; or his attempt to deprive the Royal forces of their supply of fresh meat, a portion of which was then on Bergen Neck; or his still more important attempt to decoy the enemy into the ambushed defiles near Fort Lee while attempting to cut off his retreat from the Block-house—concerning the last two of which subjects the Doctor is conveniently silent in this "Preface" to *The Cow Chase*.

The Doctor tells us, also, on page 4, that "this Poem has been often Printed"; and on page 6, he repeats that important statement in these very scholarly words: "Several separate Editions of *The Cow Chase* HAS been published"—he does not tell us, however, when and where these "several separate Editions" "has" appeared; nor is it evident from his "Preface" by whom they "has been published."

An "Introduction" follows the "Preface" to which we have referred, in which we find, FIRST, what purports to be the "Advertisement" and the "Preface" of the London Edition of 1781; SECOND, what seems to be General Washington's letter to the President of Congress, dated the twenty-sixth of July, 1780—reporting the expedition to Bull's Ferry and its results—said to have been taken from *The Pennsylvania Packet* of the first of August, 1780, but really from some other work, as will be evident to any one who will compare the copy with the professed original; THIRD, two newspaper accounts of the same affair—said to have been taken from Rivington's *The Royal Gazette* of the twenty-second and twenty-sixth of July, 1780, but really from some other paper, since Rivington had no verses at the head of his first article, and he printed both of them very differently from the versions here presented; FOURTH, an article from *The New Jersey Journal*, Vol. II., Number LXXXV, [Chatham, N. J.] Wednesday, the twenty-sixth of July, 1780, with Rivington's comments, *all of which* are said to have been "quoted in Rivington's *Royal Gazette*, No. 400, of the twenty-ninth of July, 1780," without any apparent knowledge, on the part of Doctor Hough, of the source from which any portion of the article was taken, or of the originality, in *The Royal Gazette* itself, of some important portions of it; FIFTH, a "Card" purporting to have been taken from Rivington's *Royal Gazette* of the twenty-ninth of July, 1780, but very poorly imitated in this copy; SIXTH, an extract from Sir Henry Clinton's dispatch to Lord George Germain, describing the attack on the Block-house, purporting to have been taken from *The London Gazette*; and SEVENTH, a letter from Head-quarters, enclosing to Captain Ward an extract of a letter received from the Home Government, conveying the King's approbation of the conduct of himself and his party, in their gallant defense of their post.

As these papers are thrown together without order or a word of explanation—without even a line of connecting narrative—this "Introduction" would have been of little use if the papers themselves had been correctly copied, and their origin correctly noticed; as it is, with its pages crowded with erroneous words and bad spelling, and quoted as from newspapers to which, it is evident, the Doctor was not indebted for them—to say nothing of important papers on the same subject which appeared in the same newspapers but have not been copied—this "Introduction" is useful only for the purpose of indicating the worthlessness of the book, as materials for History, and the insufficiency of Doctor Hough as a reliable Editor for such a work as this aspires to be, if, indeed, he is for any other.



The text of *The Cow Chace* follows this hodge-podge of an "Introduction;" and it is just such a text as such an Editor would naturally make; and just such an one as by such an "Introduction" might, most properly, be introduced to the world.

Without seriously affecting the sense of the original, in any case that we have seen, this version of *The Cow Chace* is, nevertheless, entirely unworthy of the credit which, on its face, it appears to claim; and, instead of being valuable, in itself, as well as in its setting, as authentic materials for History, it is, in fact, nothing but a toy for the gratification of those verdant children of a larger growth who, when smaller, were delighted with the tinsel on the ginger-bread which their grandmothers bought for them, and who fancied they possessed therein so much gold.

The elegant old-style type, the beautiful new-style head-pieces, the profuse use of capital letters and obsolete spelling, etc., employed in this work, were very well calculated to effect the Doctor's object, by misleading the unwary and those who are not informed or have not access to the originals; but the fact is patent to every one who is informed, and it will be to every other person who will take the trouble to compare the original and this imitation, that the latter is a bald imposition, hastily and secretly gotten up for the purpose of unholy profit, at the expense of those collectors who might become the innocent victims.

It possesses none of the qualities which should distinguish such volumes as this appears to be—volumes which have been elaborately edited and elegantly printed, of small editions, and at very large prices. It is useless for any good purpose, because it contains only a very small portion of the material relating to the subject treated of; and that portion is not accurately printed—the result, it is evident, of an avaricious haste to make money on the part of the *concealed* Editor, on whom the censure would not be apt to fall, rather than the consequence of carelessness in the accomplished Printer, *not concealed*, who at once became the commercial head of the enterprise and the scapegoat before the public for the sins of the former.

The verso of the title-page tells us that the edition numbered one hundred copies; but we have reason for supposing that thirty copies besides the one hundred referred to have been "salted down," as the phrase goes, to be issued from time to time by the enterprising Editor himself, when the demand shall have consumed the Printer's stock, and the advanced prices of the work, consequent thereon, shall have appreciated sufficiently to meet the Editor's expectations.

4.—*The Siege of Savannah, by the combined American and French forces, under the command of Gen. Lincoln and the Count d'Estaing, in the Autumn of 1779.* Albany: J. Munsell, 1866. Small quarto, pp. 187.

This very handsome volume, which is uniform with *The Cow Chace*, last described, and evidently one of the same projected "Rivington Series" of the late distinguished head of the Census Department of this State, although his name is not given, has been sent to us by its unfortunate Publisher, who, in connection with this "Series," at least, has been made a victim of misplaced confidence.

After a brief "Preface" of two pages, an "Introduction" has been introduced, in which the learned but invisible Editor has briefly narrated the events which led to the operations against Savannah as well as those connected with the Siege itself; and it is due to him, and we are glad to recognize the fact, to say that he has greatly improved in the *manner* of his "Introductions," since he wrote, or threw together, that which preceded *The Cow Chace*, although his matter is no more authentic in this instance than in that.

There are some points of the Editor's "Introduction," however, which we cannot pass unnoticed. For instance, he says "the American Force at that Place" (when the enemy approached Savannah, in December, 1778,) "then consisted of between six and seven hundred Continentals, and a few hundred Militia, under the command of Major-General Robert Howe;" but he could have learned from Colonel Campbell's dispatch to Lord George Germain, *had he copied it correctly on pages 7-15*, that there were then "at that Place" no American troops whatever, and only two galleys in front of it. The dispatch of Commodore Hyde Parker, dated the fourteenth of January, 1779, would have added other testimony on the subject, had the Editor been as anxious to write correctly as he evidently was to do something that is less honorable to a Historian of his pretensions.

General Howe, at the time referred to, instead of being "at that Place"—Savannah—as pretended by the Doctor, (p. 7,) was at Sunbury, nearly thirty miles distant; and the "Militia" referred to by him had long before become disaffected and returned home.

This editorial effort is followed by another which is not more successful—an attempt to give a copy of "the official Report of the British officer who led this expedition," instead of which the Doctor has presented one of the baldest pieces of imposition on a good-natured reading public that ever passed under our eye, as any one can ascertain who will compare his copy with the genuine article, which was re-published in our *Battles*, i., 477-479.

Again: the Doctor says, "The Assault was 'made in three Columns' etc., but he could have learned, had he turned either to Stedman (ii, 130) or Henry Lee (*Memoirs*, 58), that the "Assault" was "made" only with *two*—that on the north side of the town, led by General Dillon, and that in front of the Spring Hill redoubt, led by General Lincoln and Admiral D'Estaing—while the column on the southern front of the city, led by General Huger, was only a feint. (See, also, General Lincoln's *Evening Orders*, October 8.)

The Doctor also leads his readers to suppose from his words, as he probably supposed himself, that the ill success of the Siege was a result only of a stubborn defence; and he says nothing, therefore, of the desertion of Sergeant-major Curry with the plan of the attack, of the delay in moving against the city in the morning, of the blunder of General Dillon who led his column into a swamp, and of the consequent concentration of the garrison in front of the column led by the Admiral and General Lincoln—all of which causes were very instrumental in producing the disaster.

The text of the volume is composed of various Journals and other papers relative to the second Siege, purporting to have been taken from Rivington's *Royal Gazette*, *The Pennsylvania Packet*, and other newspapers of the day; and, if correctly copied—of which we have no guarantee and many doubts—it is a very important contribution to the stock of material which those distant from the large cities have hitherto possessed. We are free to say, however, that we have learned to place no confidence in any statement which we may find in any volume the Editor of which, although widely known, sees fit to conceal his name from his readers; because we are confident that no one would do so if he had any reason to suppose either that his professional character, generally, would not injure the enterprise in which he was engaged, or that, in that particular instance, he had fully and honestly done his duty. In the volume before us—as in the case of the entire series—Doctor Hough has studiously concealed his association with the enterprise; and while, under *all* the circumstances in the case, we must say that we admire his commercial tact in doing so, we must say, also, that this fact must be added to the unworkman-like style of his work, and both must be taken by our readers as a portion only of our reasons for discrediting Doctor Hough's statements and transcripts in this series, and for considering the volumes as having any value, for Historical purposes.

The edition of this volume, like that of *The Cow Chace*, is said to have been "one hundred copies."

5.—*The Siege of Charleston, by the British fleet and army under the command of Admiral Arbuthnot and Sir Henry Clinton, which terminated with the surrender of that place on the 12th of May, 1780.* Albany: J. Munsell, 1867. Small quarto, pp. 224.

Another of the projected "Rivington Series," exactly uniform with the two volumes which preceded it, is here presented to the reading public.

In this, the learned Editor has inserted no "Preface," preferring rather, it seems, to expend all his learning and all his industry on the "Introduction" which precedes his text; and we accordingly turn to that with the greater interest.

It is said, in the first line of this "Introduction," that "Early in June, 1775, two British 'Men-of-War, the *Bristol* and the *Experiment*, 'appeared off the Harbor of Charleston, then the 'Capital of South Carolina, with the Intention 'of reducing that City and Colony to their late 'Allegiance."

We were not before aware that "Early in 'June, 1775," either Charleston or South Carolina had been absolved from its "Allegiance" to its lawful Sovereign, George III.; nor were we before aware that any body had pretended anything to the contrary. Indeed, if there is any virtue in the *Association unanimously agreed to in the Provincial Congress of South Carolina, on Saturday, June 3, 1775*—"early in June, 1775"—we are not alone in our ignorance on that subject, since that body then said the obligation of that *Association* should "continue in full force 'until a reconciliation shall take place between 'Great Britain and America, upon Constitutional 'principles, AN EVENT WHICH WE MOST ARDENTLY DESIRE"—all of which indicates that two men-of-war were not then required—"early 'in June, 1775"—to "reduce Charleston and 'South Carolina to their late Allegiance."

We were, also, not before aware that the *Bristol* and *Experiment* were then near Charleston, for any purpose; and we do not credit the assertion notwithstanding Doctor Hough's "Introduction" to such a statement. About twelve months later than the period referred to (*June 4, 1776*) the *Bristol*, without the *Experiment*, but in company with the *Solebay*, *Syren*, *Active*, *Acteon*, *Sphinx*, *Friendship*, *Ranger*, and *Thunder*, did arrive "off the Harbor of Charleston," if History speaks truly; (STEDMAN, i, 185; General LEE's *despatch to Congress*, dated July 2, 1776; Sir PETER PARKER's *despatch to the Admiralty*, July 9, 1776,) and it was not until more than three weeks after that date that the *Experiment* joined them; (RAMSAY's *Rev. in South Carolina*, i, 144; General LEE's *despatch*; Sir PETER PARKER's *despatch*); but we suppose that all these authorities are nothing when confronted with the recent head of the Census Department, who is



emphatically a man of figures, and we and they must stand corrected.

We were not before aware, also, that the force opposed to the British fleet, at the entrance of Charleston harbor, at any time, amounted to "two Regiments of South Carolina," as is stated by Doctor Hough, on page 3: although we know—because Gordon (ii., 233) and Ramsay (*Revolution in South Carolina*, i., 144) tell us so—that when Sir Peter Parker was defeated on those waters, in June, 1776, the entire garrison opposing him was Three hundred and forty-four men, belonging to the Second South Carolina Regiment, besides a Company of Artillerists.

The Doctor succeeds, however, notwithstanding our ignorance, in presenting a lengthy narrative of the exploits, "early in June, 1775," of the *Bristol* and *Experiment*; of their cannonade of Fort Moultrie; of their repulse; of the loss on board the two ships, respectively, of One hundred and eleven and Seventy-nine men; of the "great enthusiasm throughout the Country;" which was produced by the success of the Garrison; and of "no further Attempt being made "against Charleston until after the unsuccessful "Attempt of the French and Americans against "Savannah, in the Autumn of 1779."

All this would be very well and very important, were it true: but, inasmuch as it is not true, it is, simply, *Bosh*.

The *Bristol* and *Experiment* really attacked Fort Moultrie not "early in June, 1775," but on the twenty-eighth of June, 1776; not unassisted, but with the aid of the *Solebay*, *Syren*, *Active* and *Acteon*, each of twenty-eight guns, the *Sphinx* of twenty, the *Friendship* of eighteen, the *Ranger* of eight, the *Thunder*, Ketch, of six guns and two mortars, and several smaller armed vessels and a large number of transports, on which were the XVth, XXVIIIth, XXXIIIrd, XXXVIIth, LIVth, LVIIth, and seven companies of the XLVIth Regiments of the Royal Army; not with the simple loss of a hundred and eleven men on one ship and Seventy-nine on the other, but with the entire destruction of the *Acteon*; the wreck of the *Thunder*—rendering her useless: the loss of the Captain of the *Bristol*, and several of her officers, One hundred and eleven of her men, her main and mizzen-masts, and much of her rigging, etc.; of Captain Scott of the *Experiment* and Seventy-nine of her men, besides much damage to her hull, rigging, etc.; of seven men on the *Active*; of eight on the *Solebay*, etc.

But Doctor Hough's blunders do not end here.

In his narrative of the Siege of 1780, he says, (page 9) the British fleet passed the Bar on the eighth of April, "without serious injury;" although it is in evidence (*Adm'l ARBUTHNOT'S despatch*, May 14; *Gen'l WOODFORD to General WASHINGTON*, *Ap'l 8*; *Gen'l MOULTRIE'S Diary*,

*Ap'l 7th*; etc.) that the *Richmond* lost her foretopmast, the *Acetus* was burned, and all the others were more or less damaged.

The remarks which we made concerning the text of *The Siege of Savannah*, last noticed, are entirely applicable to the text of this volume and need not be repeated. A really useful work to those who are distant from original material might have been made in each case; and both the Editor and the honest Printer might have been paid for their labor and received the well-earned thanks of the Public, had the former done his duty and dared to face the world like an honest man. Conscious of his wrong-doing in the premises, however, he preferred to cover himself and let his illegitimate bantlings be tossed, unfathered, and, except by the unpaid midwife, uncared for, on the coldness of an unsympathizing and inhospitable world. If the world shall now neglect them and mark him, he will have, therefore, no one to blame for it but himself.

The edition, like that of the *Cow Chace* and that of *The Siege of Savannah*, is said to have been "one hundred copies."

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6.—*The History of the Dividing Line and other Tracts*. From the Papers of William Byrd, of Westover, in Virginia, Esquire. In two volumes. Richmond, Va.: 1866. Small quarto, L., xix., 233; II., iv., 276.

We have already referred to the great value of this work and the care with which it has been edited by our excellent friend, Doctor T. H. Wynne, of Richmond, Va., and we have only to add now that all who possess *The Williamsburg Orderly-book*, so called, will find in these volumes the continuation of that series of "Historical "Documents from the Old Dominion," of which the latter forms the first volume.

It is printed in the admirable style of Joel Munsell of Albany—a style which is appreciated by every lover of handsome books and which has made him famous, while it has also failed to make him as rich as he should be.

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7.—*Memorables of the Montgomeries*. New York: Printed for the King of Clubs, 1866. Quarto, pp. (iv) iii., three blank pages, fac-simile title-page and verso, 7.

We have here, if we are not mistaken, the first volume of the publications of "The King of "Clubs"; and we are free to say that it has done itself credit.

The "Introduction," by the American editor, tells us that this ancient Ballad "carries the "Genealogy of the family whose memorables it "sets forth, to a period quite remote;" although he does not appear to be satisfied, in every respect, with the character of the Record, as it stands in these pages.

It is, however, whether true or false, a curious



old Ballad, reciting, what claims to be, the history and progress of the MONTGOMERY family—that race of mighty Scots of Ayr—from the days of Rome, over the Mont Gomericus, through Hastings, to Ponoon; and it has been reprinted from a rare copy belonging, during his life, to the late John Allan.

It appears in the beautiful style of the Bradstreet Press—old style type; laid, tinted paper; etc.—and the edition numbered sixty octavo copies and forty quartos.

8.—*A Biographical Sketch of the Life of the Late Captain Michael Cresap.* By John J. Jacob. Cincinnati, Ohio: Reprinted from the Cumberland Edition of 1826, with Notes and Appendix, for William Dodge, 1866. Quarto, pp. 158.

This is a large, coarsely-printed quarto; the work of some "Steam Job Printer," whose taste is evidently exercised on show-bills for some traveling menagerie or on catalogues for some country auctioneer, more frequently and more profitably than on "fine books"—even the books which are thrown on the market, once in a great while, by the sagacious publisher of Penhallow.

It is simply JACOB'S *Life of Cresap*, with Jacob's "Advertisement," Dedication, "Preface," and "Introduction" dexterously inserted *in front of the Title-page instead of behind it*, in order that the casual observer may be led to suppose that all these are new matter; and if we are not sadly mistaken, not only the "Appendix" referred to in the title-page, but the "Supplement," the "Conclusion," and the final Notes, which follow the "Appendix," are Mr. Jacob's, also, rather than Mr. Dodge's. A letter of General George Rogers Clark, vindicating Cresap from the charge of killing Logan's family, and here and there a Note, *may be* Mr. Dodge's; but we can find nothing else which may possibly be his work.

Of Jacob's *Sketch* we can say very little that is not already known to the greater number of our readers. It is an elaborate and, we think, a successful defence of Captain Cresap from the censures heaped upon him by Mr. Jefferson and Doctor Doddridge, by one who was an inmate of his family and knew him well, who married his widow, and who possessed all his papers, books, etc. It is well written and bears the impress of Truth on its face; and it needed none of Mr. Dodge's very questionable management in order to make it attractive to every student and collector who did not already possess a copy.

9.—*A Journal of Wayne's Campaign.* Being an Authentic Daily Record of the most Important Occurrences during the Campaign of Major General Anthony Wayne against the Northwestern Indians; commencing on the 25th day of July, and ending on the 2d day of November, 1791; including an account of the great battle of August 20th. By Lieutenant Boyer. Cincinnati, Ohio: William Dodge, 1866. Quarto, pp. 23.

When we first saw this volume we fancied that it was an old acquaintance of ours, which

had done us good service while we were engaged in writing our *Battles of the United States*, although Mr. Dodge has issued it, as if it had never appeared before, without any allusion to the source from which he has abstracted it. It was not long, however, before we fixed our old friend, *The Journal of Lieutenant Boyer*; and we are not unwilling to expose the laxity of Mr. Dodge's morals which has allowed him to use without credit the labors of another, and to re-publish without acknowledgment what the Editor of *The American Pioneer*, John S. Williams, Esq., has already given to the world.

Concerning the *Journal* itself, which Mr. Dodge has fully described in his title-page and probably re-produced correctly, we cannot speak too highly, as it is an original authority concerning one of the most important events in the history of the mighty West.

We are aware that it has not yet become fashionable to "collect" material for a History of our Military Affairs, subsequent to the War of the Revolution; but that material is not less important because it has been neglected, and we should fall short of our duty if we failed to remind our readers of its growing importance, even as matter of merchandise.

Considered as a specimen of typography, this volume is not more creditable, as a "fine book," than is the *Life of Captain Cresap*, published by the same person, to which we have last referred.

10.—*Memoirs of the Long Island Historical Society*, Volume I. Journal of a Voyage to New York in 1679-80. Brooklyn, N. Y.: Published by the Society, 1867. Octavo, and royal octavo, pp. viii., xlvii., 440.

A dainty volume, printed by Munsell and bound by Mathews, presents itself as the first-born of the young and vigorous *Long Island Historical Society*; and the contents of the volume are as interesting and important, both to the general reader and as materials for history, as the setting is well-chosen and skillfully elaborated.

It seems that our honored friend and fellow-laborer, Hon. Henry C. Murphy, while on the Mission at the Hague, picked up a Journal of the visit to the English Colonies in America, in 1679-80, of a delegation of Labadists from Friesland, for the purpose of finding a home for that community on the Western shore of the Atlantic; and, after some delay in the matter, he has translated it, and placed it for publication, where he could most properly have placed it, in the hands of the Historical Society, whose home is in the city of his residence, and of which he is a leading officer.

This *Journal* "is a plain story, told in simple language, of a voyage across the Atlantic nearly two hundred years ago, and of journeys to many of the American settlements"—New York, New Jersey, Delaware, Maryland, and

Massachusetts—"at that time. It was written "under the influence of peculiar religious views "and national attachments," of course, but in that fact we find a reason for supposing that, as between peoples and creeds and practices which were equally foreign to their opinions, and habits, and nationality, we have a more perfectly impartial judgment than is usual in such cases.

The delegation left Wieward, in Friesland, on the eighth of June, 1679; took passage with Margaret Philipse, the wife of Frederic Philipse of the Philipse Manor in this County; reached New York on the twenty-third of September; traveled extensively; and sailed from Boston, on the twenty-third of July, 1680, on their return to their own country.

The voyage is described with great minuteness; and Margaret Philipse is very fully portrayed, very much to her disadvantage. The city of New York, also, is more perfectly described than is usual; and several drawings, representing the city from the Southeast, East, and North, illustrate the text. Many of the Burghers of that early period are referred to, including Gerrit Cornelis Van Duyne, Jacob Swart, Jean Vigne—the first male born of the Europeans in New Netherland—Mons. La Grange, Domine Niewenhuisen, Abraham De la Noy, and his brother Peter, Francis Rombouts, Evert and Gerrit Duyckinck, Adrian Cornelison, Peter Denyse, Frederic Philipse, etc., and others, not permanent residents of the city, including Domine Schaats, Simon Aertsen DeHart of Gowanus, Jacques Cortelyou, Mr. Valentine of West Chester County, Ephraim Heermans of Newcastle, Governor Andros, Rev. Mr. Wooley, the widow Rensselaer, Domine Van Zuren of Long Island, Catalina Trico of the Wale Bocht, etc. also receive attention. We have, also, descriptions of the Fort, the old Church, Long Island, Brooklyn, the Bowery, Harlem, Staten Island, the mode of trading with the Indians, the villages of Bergen, Schenectady, Albany, Esopus, etc., the East-river, Hell Gate, the North River—which, he says, "discharges itself into the sea at *Sandy Hook*, or "*Rensselaer Hook*," as maintained by us, in our discussion of the question of the Eastern Boundary of New Jersey, a year or two ago—the trouble with Governor Carteret, etc.; and a general review of the country. The general description of the city of New York, which, it is supposed, formed part of the original Journal, has not been preserved.

Of the New Englanders the delegation seems to have had a very poor opinion; although no one, not even the inevitable Poole, will pretend that it was not composed of educated and intelligent men, or that its narrative, herein presented, has not an air of truthfulness and candor.

The descriptions of some of the manners and

customs of New England, at that period, are peculiarly rich—the long domestic prayers, "loud enough to be heard three houses off" and not said in a closet with the door shut, (MATTHEW vi., 6;) the public prayers in the pulpit, "full two hours in length" (p. 380); the entire absence of devotion in the religious exercises (*Ibid.*); the worldliness of the people, of whose ardent religion we have heard so much (p. 382); the state of the College at Cambridge (pp. 384, 385), and the suspicions entertained towards strangers (pp. 386-389) are peculiarly so—and they have left us a most interesting sketch of the "Apostle Eliot"; a description of the mutilated flag which was in use at Boston; of the Pharisaical character of the prevailing religion—"all their religion," they said, "consists in observing Sunday, by not working or going into taverns on that day"—of the "noise and debauchery" which prevailed in their taverns, etc.; telling us, at the same time, that, notwithstanding their pretences of religion, "you discover little difference between this and other places;" that "drinking and fighting occur there not less than elsewhere; and as to truth and true godliness, you must not expect more of them than of others;" that they were "like all other Englishmen, who, if they are not more detestable than the Hollanders, are at least no better;" that, in their churches, "there was no more devotion than in other churches, and even less than in New York; no respect, no reverence; in a word, nothing but the name of Independents; and that was all;" that John Eliot "deplored the decline of the church in New England, and especially in Boston, so that he did not know what would be the final result;" "they are all Independents in matters of religion; many of them perhaps more for the purpose of enjoying the benefit of its privileges than for any regard to truth and godliness;" etc.

Taken as a whole, this volume is highly creditable to the Society which has issued it. The subject is an appropriate one; it has been edited by one of the very few who are able to do so properly, and he has performed his labor with great success; the illustrations are appropriate; the mechanical execution of the work is all that can be desired; and every historical student and every one who is at all interested in whatever pertains to "Old New York" will receive this new contribution to their stock of materials with entire satisfaction.

11.—*History of Easthampton*: its settlement and growth; its material, educational, and religious interests, together with a Genealogical Record of its Original Families. By Payson W. Lyman. Northampton: Trumbull & Gere, 1866. Small octavo, pp. title-page and verso, 131.

In this neatly-printed little volume, the author



has given to the world a sketch of the history of his native town,—one of the four Hamptons, in Massachusetts.

As the author—who is a student in Amherst College, if we do not mistake—claims nothing more for his work than the merit of a “sketch,” the reader must not expect to find in this volume all the details of a “history”; and we only regret that one who is evidently so capable, should not have extended his labors a little further and given us a History. It would not have cost him much more labor than he has bestowed on this work, had he given us a detailed and authoritative account of the Civil and Ecclesiastical history of the Town, with references to the authorities at the foot of the pages; and if he had perfected his “Genealogical Record,” instead of giving only the outlines—leaving out, even then, all the details of several existing families, including his own—the result would have been far more useful and more satisfactory, even to himself.

We make these remarks in no spirit of fault-finding, but with a hope that the author may be induced to go on and make more perfect what he has so admirably begun. He has shown an ability for such a labor, combined with so modest an appreciation of his own merits, that we are unwilling to allow him to retire into the recesses of some country law-office and be lost to the little circle of careful and conscientious historical writers.

The first Chapter of the work is devoted to the early history of the Town, bringing it down to its Incorporation; and the following Chapters are devoted, respectively, to its Churches, its Schools, its History, ending with the War of 1812, its Manufactures, its Agriculture and Trade, its Physicians, its Library Associations, Public-houses, etc., and its services in the recent War; and the Genealogical Sketches close the volume.

As our readers will readily understand, we commend the work to the attention of all who are engaged in collecting local histories.

12.—*Mosby and his Men*: a record of the adventures of that renowned partisan ranger, John S. Mosby, [Colonel C. S. A.] Including the exploits of Smith, Chapman, Richards, Montjoy, Turner, Russell, Glascock, and the men under them. By J. Marshall Crawford, of Company B. New York: G. W. Carleton & Co., 1867. Duodecimo, pp. 375.

The publisher of this volume tells us “there is a kind of physiognomy in the titles of books no less than in the faces of men, by which a skillful observer will know as well what to expect from the one as the other”; which would indicate, if true, that the miserable paper which the publisher has given to the printer, in this instance, and the generally mean appearance of the work, may be considered as indicative of shabbiness in the author and something dis-

creditable in the manner in which he has discharged his duty as a historian.

We are not prepared to admit the presence of so much virtue in either a publisher's niggardliness or an amateur's extravagance while dressing a volume for the eye of the public; since many good works have been buried in shabby dresses; and more, like Doctor Hough's recent ventures, without possessing a shadow of merit, have been issued in the extravagance of the Munsell Press, and with all the motherly care which the Bradford Club and the Board of Supervisors in New York are so admirably calculated to extend.

We have gone over the greater part of this volume, and we are not prepared to say that “Mosby and his Men” have been treated as shabbily by Mr. Crawford as the latter has been by his printer; and we rather incline to the opinion that this book is better, as a record of the doings of the great partisan leader, than is indicated by its appearance.

There are many pages of the volume, it is true, which have no more to do with “Mosby and his Men” than with Grant and his men, and should never have formed a part of such a narrative as this; but the writer evidently desired to “have his say” on the causes of the war and its general conduct, and his readers have been bored accordingly. That portion which treats especially of the operation of the Forty-third Battalion of Virginia Cavalry, however, appears to be generally entitled to respect, as the testimony of an actor in the scenes which he describes; although our knowledge of the details of that portion of our History, which we have not yet looked into very closely, is too limited to warrant any very decided judgment concerning its general merits as *History*. It is, at any rate, cleverly written, and carries with it an appearance of authenticity, when treating of “Mosby and his Men”; although it is evident that the author, when writing of what he had no personal knowledge, has fallen into some errors, as many others who have preceded him have done, when writing on subjects with which they were unacquainted.

13.—*The Shenandoah*; or the last Confederate cruiser. By Cornelius E. Hunt, (one of her officers). New York: G. W. Carleton & Co., Publishers, 1867. Duodecimo, pp. 273.

The cruise of the *Shenandoah* is matter of history; and without considering the legality or illegality of her commission, a statement by “one of her officers,” in which a candid exposition of her doings is presented to the world, is worthy of our notice. It is original evidence; and when, as in this case, it is the evidence of one who dared to think for himself and to speak boldly of what he thought, it is the more entitled to our attention and respect.



We have read this volume with entire satisfaction. It does not pretend to discuss subjects which do not properly belong to it; nor are its pages encumbered with profitless dissertations or more profitless speculations. The cruise of the *Shenandoah* is described, fully; and, having discharged that duty, the author promptly dismisses his reader.

We cannot say a favorable word for the typography of the volume. The paper is too poor to afford the printer a fair chance; and the physiognomy of the volume is too unpromising to warrant a single word of commendation.

14.—*Ordinances of the Mayor, Aldermen, and Commonalty of the City of New York. Revised A. D. 1859.* With the Amendments thereto and additional Ordinances passed since the Revision. By D. T. Valentine. Adopted by the Common Council and published by their authority. New York: E. Jones & Co., Printers, 1860. Octavo, pp. xvi., 685.

The city of New York, with a population, in 1860, very much greater than that of the entire States of Maine, Iowa, Michigan, New Jersey, North Carolina, or Wisconsin; larger than Maine and Rhode Island, or Vermont, New Hampshire, and Rhode Island, or New Jersey, Delaware, and Oregon, or Florida, Delaware, Kansas, Minnesota, Rhode Island, and the noisy city of Boston combined; and with wealth and influence on all subjects except those concerning the Government, relatively greater than its population, has its own Code of By-laws, enacted by its own local Legislature, and executed by its own local Executive.

It is a Body-corporate, existing as such from the days of the Fathers; older even than the State or the Union; and deriving its authority, originally, from those who alone were competent to give it. Its Charters, granted one after another, by its Sovereigns—Dutch, English and American; Commercial, Royal and Republican—are just as valid, and quite as ancient, and not a whit less respectable, than was that celebrated Charter which was considered so sacredly inviolable in Connecticut, and so carefully concealed in the oak at Hartford; and that Charter which Massachusetts was wont to plead as the palladium of her Rights and as too sacred to be interfered with by either the Parliament or the King, was nothing more, if as much, than are the instruments under which the city of New York exists, to-day, as a Municipality; and it possessed no more virtue and no more legal force. Indeed, those Colonial Charters of which the world has learned so much, and for the violation of which George III. and his Parliament have been held up to the contempt of all succeeding ages, were less important and possessed less authority, as legal instruments, than are those which, possessed to-day by the city of New York, are far more wantonly violated every day by its Repub-

lican Sovereign, the State of New York, through her Legislature; and if the city possessed a tithe of the noisiness of Revolutionary Massachusetts, or, if her members had as little to do, in the way of legitimate business, as had the *illicit* traders of Boston, a century since, we should to-day be in the midst of a hub-bub concerning "Chartered rights," and Legislative "usurpations," and "the Rights of Man," which would throw all the appeals of John Hancock, and Samuel Adams, and James Otis, and all the legal arguments of John Adams and Josiah Quincy, into the shade, and hurl the reckless partisans of the Nineteenth century into the depths of historical degradation, beside their predecessors in usurpation who were hurled from their seats in the last century, amidst the execrations of their own constituents, and covered with the contempt of those whom they had endeavored to despoil. It is not so, however. Moses Taylor is not a smuggler, and needs no such sympathy; and, although a tax has been imposed by questionable authority exercised under Legislative sanction, William B. Astor has more important business to attend to than a contest on that subject, and Cornelius Vanderbilt does not allow any such trifle to "interfere with his game." *The city of New York is, in fact, too busy to attend to trifles; and her citizens can better afford to lose 'a little at the faucet, by neglect, than to spend their precious time in small matters, at the expense of the stream which flows in at the bung-hole.*

As we have said, the City has its By-Laws; and this volume contains that Code, as it was in August last.

It is the work of our venerable friend, the Clerk of the Common Council, and is well done, save in one point, concerning which his own experienced eye must, before this, have detected a short-coming. We refer, of course, to the Analysis of the Charter of the City, and laws affecting the same.

This "Charter of 1857," so called, re-affirms all former grants, powers, and privileges vested in the city, from the days of Peter Stuyvesant until the date of its own enactment—including those which were made a part of the Articles of surrender of the city in 1664 and 1673; those which entered into international Treaty between the English and the Dutch; those which the Revolution in England did not impair; those which the Military law of the Howes, and Sir Henry Clinton, and Guy Carleton, held sacred, and left uninjured; those which the Treaty of 1783 and the Convention of the State of New York in 1777 respected and reaffirmed—and a recital of all these is as much in place in such an analysis, as is anything which does appear in it. Indeed, we are not quite sure that it is not owing in some measure to such omissions as this, frequently

repeated, that the ancient and inalienable rights of the noble old City have become of little apparent importance—rights, indeed, which may be regarded or disregarded at pleasure—and we are not quite sure that if those ancient chartered rights which belong to her and are as much her property as her City-hall is, were more frequently talked about and more constantly held up before the world, they would be more highly prized at home and more highly respected abroad.

We submit to our honored friend, therefore, that the City should not be compelled to grope uncertainly, when it desires to know what its legal Rights are, under the provisions of its several Charters. Those fundamental provisions which rest on the still more ancient municipal rights of the mother-city of Amsterdam, in Holland, confirmed as they have been, successively, by Treaty stipulation and, more immediately, by both Royal and Republican authority, are as much the supreme law of this State, to-day, as they were that of the Colony, two hundred years ago; and what the King of England subsequently granted to her, the King of England had complete right to grant to, and legally vested in, her, as her sole property. All these rights, thus conferred by competent authority and enjoyed by her without challenge from any one, those only excepted which she has voluntarily and legally surrendered, remain with her, unimpaired, even though dormant or seldom exercised; and the ripe experience of "the old Clerk" can be employed on no more important duty for the Municipality which he has so long and so faithfully served than in bringing out and displaying in all their original importance, those provisions of her ancient Charters, yet unimpaired, which if recognized and respected would more speedily make her, what she will nevertheless some day become, the seat of the commerce of the entire world.

15.—*History of England from the Fall of Wolsey to the Death of Elizabeth*. By James Anthony Froude. Reign of Elizabeth. Volumes III. and IV. New York: Charles Scribner & Co., 1867. Small octavo, pp. (III.) xiii., 662; (IV.) xiv., 565.

The ninth and tenth volumes of Mr. Froude's admirable *History of England*, are here presented to the public. They relate, principally, to the complications attending the case of Mary Stuart, Queen of Scotland, to the contest between the Protestant and Roman Catholic churches for political supremacy, and to the talked of marriage of Elizabeth; and in all their parts they are as attractive as a romance, while they are, also, as boldly aggressive on the old school of historical writers as the most radical of the new school could desire.

We do not know of any better service that can

be rendered to the reading world than that which Mr. Froude is engaged in; and we earnestly hope that his American publishers may be amply rewarded for his enterprise in re-producing the volumes in so neat a dress, at so reasonable a price.

16.—*The Works of the Right Honorable Edmund Burke*. Revised Edition. Vol. XI. Boston: Little, Brown & Co., 1867. Small octavo, pp. iv., 445.

We have so often referred to this very beautiful edition of the Works of the great Orator of the past Century, that little remains to be said on the subject. It may interest our readers, however, to know that another volume will complete the work; and that there can be found few others which will add as much to the literary stores of a well-selected private library.

The volume before us relates to the impeachment of Warren Hastings; and we can commend it to the studious attention of all who seem to be engaged in a similar work in our own Country.

17.—*Studies in English; or Glimpses of the Inner Life of our Language*. By M. Schele de Vere, LL.D. New York: Charles Scribner & Co., 1867. Small octavo, pp. vi., 365.

Although not historical, this volume is pre-eminently entitled to the attention of all who either read History or write it.

It is the result of many years study of the structure of our Mother-tongue, by the accomplished Professor of Modern Languages in the University of Virginia; and it is offered by him as a contribution to the small supply of works which we possess on that new science which Muller and Marsh have so successfully illustrated, and concerning which, the greater number are wholly ignorant.

To the historical student and to the Genealogist, the Chapters on the Names of Places and of Men will be peculiarly interesting; and to their attention we respectfully commend the work.

18.—*Literary Life of James K. Paulding*. Compiled by his son, William I. Paulding. New York: Charles Scribner & Co., 1867. Octavo, pp. 397.

Every New Yorker of the olden time, and every one who has any regard for the good old days of sixty years ago, will welcome this volume and enjoy the story which it tells.

James K. Paulding was born in Dutchess County, in August, 1778—his parents, representing the Dutch of New Netherland and the English of New Jersey, being then in exile. The family mansion, with the wing which was once a store, if we do not mistake, is still standing on what was once the bank of the Hudson at Tarrytown; and when the War was succeeded by a glorious Peace, the family returned to the home from which it had been driven, and James became, what his father was, before him, a resident of this County.



He went to school in the valley of the Sawmill river, where, at the cost of fifteen dollars, all told, he received his education; and he seems to have become, at the early age of twelve or thirteen years, one of those who have always made Tarrytown famous—the two who have looked on whenever a Tarrytownian has labored. Indeed, like another Broin Marling, he could either idle away his time by looking at some more industrious neighbor, or he could shoot and catch pigeons, or he could sit on a rock under the high bank of the river and watch the float on his line as he waited patiently for a bite.

After some six or seven years thus spent in idleness, Paulding was taken to New York by his elder brother, William, and placed in an office as a Clerk: and while there, through his brother-in-law, William Irving, he soon after became acquainted with the brother of the latter, the immortal Washington Irving, who, in his turn, introduced him to other young men of that period, many of them widely known in after years, but all, save one or two, now taken to their last resting-places.

He commenced writing verses about the same time; and, it is said, *The Morning Chronicle*, edited by Peter Irving, Washington's brother, was the medium of his first communication with the reading-public—a beginning which was followed diligently, for many years, and not without honor to the writer.

It was at that time, also, that a literary coté-rie was formed, in which "Nuncle" and "Billy Taylor," "the membrane" and "the Patroon"—the last of whom we are proud to number, to-day, as one of our subscribers and regular readers—were active members; and, if we do not mistake,—although this volume says nothing of it—there was, also, about the same time, a regularly organized association, of which Irving, and Paulding, and Kemble, and Brevoort were leading associates, whose records are still extant, and which, some fine day, may add to the attractions of our "Old New York Revived," and revive, in the memory of our venerable and honored correspondent, pleasant recollections of by-gone days.

In 1807, *Salmagundi* first appeared from the joint pens of Irving and Paulding; and this was followed, in 1812, by Paulding's satire of *John Bull and Brother Jonathan*; in 1813, by his *Lay of the Scottish Fiddler*; and, in 1815, by his *United States and England*. The latter three of which so far attracted the attention of Mr. Madison that Paulding soon after was provided with an office and a much-needed income, sufficient for his reasonable wants.

In 1817, Paulding wrote his *Letters from the South*; and in 1818 his *Backwoodsman*—evidently his favorite—was published in Philadelphia.

In 1818, he married Miss Gertrude Kemble, of New York, from whom, on the twenty-fifth of May, 1841, he was separated by death.

In the following year he attempted, alone, a revival of *The Salmagundi*; and in 1822, he issued *A Sketch of Old England, by a New England Man*. *Koningsmarke, John Bull in America, Merry Tales of the Three Wise Men of Gotham, The New Mirror for Travellers, Tales of the Good Woman, Chronicles of Gotham, The Dutchman's Fireside, Westward Ho!, A Life of Washington, Slavery in the United States, The Book of Saint Nicholas, A Gift from Fairy Land, The Old Continental*, and *The Puritan and his Daughter*, followed, successively; and, although the greater number of them have been forgotten, if they were ever known, by modern newspaper readers, they were, nevertheless, well received in their day; and their author earned for himself a high place among the earlier *literati* of America.

The volume before us is composed mainly of extracts from Mr. Paulding's letters and writings; the author preferring rather to let him tell his own story and to portray his own character. It is very readable; and to those who are at all disposed to sympathise with what is known, hereabouts, as the Knickerbocker element, it will be peculiarly acceptable.

Four other volumes, uniform with this, are to follow it; in which the leading works of Mr. Paulding are to be reproduced under the same careful editorial supervision.

19.—*Records of the descendants of Hugh Clark, of Watertown, Mass., 1640-1866.* By John Clark, A.B. Boston: Printed for the author, 1837. Octavo, pp. 251.

We have here a modest, well-arranged, and well-printed Genealogy of the descendants of an honest "husbandman" who settled in Watertown, Mass., some two centuries and a quarter since; and, there and in Roxbury, whither he removed in 1660, he seems to have lived quietly, until, in 1693, he departed with the respect, certainly without the recorded censure, of those among whom he lived. He left three children: and these have certainly increased and multiplied, as have become the children of honest parents.

We like this work. We like the plan adopted by Mr. Clark, in the arrangement of his subjects; and we like the way in which he has handled those subjects—modestly, yet clearly, setting forth the *historical* facts connected with each, without an unnecessary display of non-essentials. There is here, also, no such attempt to run back into gentility as we too often see in works of this class. Hugh Clark is said, boldly, to have been "a husbandman"; and Hugh Clark's descendants can make the most of it, notwithstanding the unnecessary coat of arms on the cover of the volume, which, by-the-way is also honestly



ignored *within* the cover. There is an honesty of purpose in this evidently honest declaration which is truly refreshing in these days of fantastical imitation of foreign fripperies.

The work was printed by Alfred Mudge & Son, Boston; and is highly creditable to their well-earned reputation.

20.—*The Constitutional Convention; its history, powers, and mode of proceeding.* By John Alexander Jameson. New York: Charles Scribner & Co., 1867. Octavo, pp. xx., 561.

Few works have recently issued from the American Press which are more important than this; and we hope that those who are engaged in "re-constructing" States and the Union will take advantage of the information which it contains.

It is not so much a history of Conventions, already held, as an exposition of the law of Conventions, both those which have been convened and those in the future, from their inception to the close of their labors. It opens, therefore, with an examination of the classification to which Conventions may be subjected—*Spontaneous, Legislative, Revolutionary, and Constitutional*—and the peculiar features in each which distinguish it from all others.

This is followed by *forty-nine* pages devoted to a definition of the word "Sovereignty" and to inquiries concerning its seat and attributes! Our readers may very well suppose that when such a simple subject is spun out to such an undue extent—a very large proportion in fine type—either the historian is in a muddle or his readers will be, when they shall attempt to follow him. That the former is the case is evident when he tells us, (p. 17) "the meaning of the term Sovereignty, 'is *simply* superiority,'" and then occupies fifty times as much space to explain that it is *not so*; and it is even more apparent when, at the close of the second page devoted to the subject, he abruptly drops it and goes to another question without having reconciled his own contradictions.

Why the definition of the term which Chief-justice Jay employed, on the Bench of the Supreme Court, was not satisfactory, is not very evident, unless it was because it would not fit the author's well-defined theory; and we are inclined to think that the elaborate discussion concerning the seat of that sovereignty may also be accounted for by what seems to be the fact, that the Sovereignty of the People is a less acceptable dogma than the Sovereignty of the Government would have been.

Thirty-two pages are then occupied in a description of the term "Constitution!" but we have looked in vain for definitions, even the smallest, of the very important terms "Union," "Con-

"federation," "United States;" and "Nation" is dismissed with forty-three *lines*, and "State" with three.

The reader is next introduced to the great subject of the volume—*Constitutional Conventions*—in the course of which the author distinguishes the "legitimate" from the "revolutionary" (illegitimate?); tells that such Conventions must originate in "an authentic act of the Sovereign *body*;" and elaborately discusses, the "mode" of the call, and the constituencies by whom they shall be elected. One hundred and sixty-two pages are thus occupied.

The fifth Chapter is occupied with a discussion of the Constitution of Conventions—of whom composed, how they shall be organized, and by what mode discharge their duties. Thirty pages are thus occupied.

One hundred and forty-nine pages are filled with the discussion of the powers of Conventions—a subject which is never regarded, in practice, as having any other limit than the will of the majority of the members.

Forty-two pages relate to the submission of proposed Constitutions, for ratification, to the People—a measure that was not followed in the case of the Federal Constitution, nor in those of several of the State Constitutions; and which may or may not be followed, in any case, as shall best suit the parties in authority.

Fifty pages relate to the amendatory power; and an Appendix and an ample Index close the volume.

As we have said, this work will be very useful in every community which cares anything for Precedents or Laws: where such things are disregarded—and we know no place where so much violation of Right and Law prevails as in Constitutional Conventions—it will be worse than useless.

The author has labored faithfully, and he has brought to his task a mind which is peculiarly fitted for it: but he has either been warped too much by his partizan prejudices, or he has not enjoyed the facilities for sufficient research among the fathers of jurisprudence. The consequence is, he brushes away—if he ever sees—the great principles of Government which have rendered the works of Aristotle and Hooker, Milton and Sidney, Grotius and Puffendorf, Vattel and Martens, Bacon and Fortescue, so noteworthy and so desirable to every student; while the writings of James Madison and James Wilson, Alexander Hamilton and Thomas Jefferson, John Adams and John Dickinson—to say nothing of the Decisions of the Courts, Federal and State,—appear to have never troubled him with their lessons. The consequence is seen in his theories, which are worth very much less than his precedents; and his readers will find on

difficulty in finding out that, in some portions of the work, the subjects with which he grappled were much too large for his capacity or his attainments.

It is a large, and handsome volume, from the Riverside Press: and we trust that both author and publisher will be well rewarded for their enterprise.

21.—*Campaigns of the Army of the Potomac*. A critical history of operations in Virginia, Maryland and Pennsylvania, from the commencement to the close of the War, 1861-5. By William Swinton. New York: Charles B. Richardson, 1866. Octavo, pp. 640.

We have examined this volume with considerable care: and we have laid it down with general satisfaction.

It is written by one who is not a novice, either in investigation of truths or in the selection of words to describe them. There are, therefore, such a directness of purpose and such a precision in the use of terms to effect it, in this volume, that it may serve, in those respects, at least, as a model for all who shall assume the duties of a military Historian. Indeed, while there seems to be very little omitted which may serve to complete every part of the pictures which the author designed to lay before his readers, there is, also, little which is unnecessary or irrelevant.

Of the integrity of the narrative, as far as such a narrative can be made truthful at so early a period after the close of the war, we have no doubt. It is scarcely to be supposed that the opening of private papers, and the unlocking of closely guarded secrets, which may be done during the present generation or not until the next, will not tend to a modification of some of its author's theories, or a slight disturbance of some of his statements; but the unusual advantages which he has possessed, the untiring industry with which he has pursued his inquiries, and his peculiar qualifications for such a task, aided by a life in the camp, have enabled Mr. Swinton to do well what he has undertaken: and those who are most competent to judge on the subject, say that he has not disappointed them.

The maps and portraits with which the work is illustrated may, it is said, be wholly relied on as authentic; and, if for no other reason than this, the work should receive a liberal support.

22.—*On Wakefulness*. With an Introductory Chapter on the Physiology of Sleep. By William A. Hammond, M.D. Philadelphia: J. B. Lippincott & Co., 1866. Duodecimo, pp. 93.

We are indebted to our friend, the author—who is well-known to the country as the late Surgeon-general of the army of the United States—for this very interesting little volume; and, although it is a scientific work, we have run over its pages with much satisfaction.

The Physiology of Sleep, which forms the Introductory chapter, extends to thirty pages. The

causes of sleep are elaborately discussed in this chapter; and we thought, as we noticed the Doctor's allusion to the consumption which is constantly going on in the brain of every person, and to the consequent necessity for repose, in order that the vacuum thus formed may be re-occupied by the new matter which is constantly being supplied, that if he had suggested some mode of improving the quality of the new material, he might, in some cases which we have heard of, have earned the gratitude of a patient, but insulted, People, whose servants, to-day, are just as bad as they were three years ago—to say nothing of the People itself, in whom and in whose action or negligence there is great room for improvement, in some of their features.

23.—*Elements of Logic*, comprising the Doctrine of the Laws and Products of Thought, and the Doctrine of Method, together with a Logical Praxis. Designed for Classes and for Private Study. By Henry N. Day. New York: C. Scribner & Co., 1867. Octavo, pp. x., 237.

In this very neat volume we have a convenient treatise on the Science of the Laws of Thought, as Thought, "designed for learners," as the author tells us; but we fear that the number, now-a-days, of those who *think* is so small that it will hardly pay for the preparation of such a work on such a subject.

We commend this volume, however, to such of our thinking friends as lack method in their thoughts; and we hope they will not only enjoy it but be profited by a perusal of its pages.

24.—*Woodward's Record of Horticulture for 1866*. Edited by Andrew S. Fuller. New York: G. E. & F. W. Woodward, 1867. Duodecimo, pp. 127.

In this very beautiful little volume, our excellent friends the Editors of *The Horticulturist* have sent out to the Horticultural world a record of the results of the science in 1866, embracing the new books; a review of the progress of the science, as seen in its disciples, its literature, etc.: an essay on the female as an horticulturist: a similar essay on men in horticulture; another on grape culture: one on the small fruits, illustrated; one on ornamental plants, also illustrated; one on ornamental gardening; and one on new hardy shrubs and trees.

Such a record issued yearly will furnish to the methodical horticulturist a professional balance-sheet, and enable him to judge how far the science has advanced, what increase of knowledge has been secured, what new plants have been introduced, etc.; and we commend it to our "country cousins" and country readers.

25.—*The Soldier's Story of his Captivity at Andersonville, Belle Isle, and other rebel prisons*. By Warren Lee Gos. Boston: Lee and Shepard, 1867. Octavo, pp. 273.

The author of this volume, unlike those of many of the catchpenny volumes of its class, is vouched for as an honest, reliable man and faith-

ful soldier, and a witness of what he relates. His narrative, therefore, is to be considered original authority; and it must necessarily find a place on the shelves of the working historian as well as on the tables of the general reader.

We have read it with satisfaction; and we have submitted it to one whose position as an officer in the enemy's service enabled him to judge of its truthfulness: from whom we received, also, no unfavorable report, although he considered that the necessities of the enemy sometimes compelled him to do what he would have been glad to have avoided, while the passions and the dishonesty of those subordinates, in whose immediate custody the prisoners were necessarily placed, not unfrequently produced the greatest misery and the grossest wrongs.

The volume before us is beautifully printed and amply illustrated; and as the crippled soldier seems to rely on its sale for the greater part of his support, we earnestly hope he will be liberally patronized.

26.—*The Annals of Iowa*; a quarterly publication by the State Historical Society, at Iowa City. Edited by Sanford W. Huff, M. D., Corresponding Secretary. Davenport, Iowa: Luse & Griggs.

The January number of this work contains a continuation of several historical articles previously commenced; and is illustrated with a portrait of General F. J. Herron.

We cannot say that the work reflects much credit on the mechanical abilities or good taste of its printers; and it strikes us that the fifth volume should have been opened with page 1 instead of page 769. Indeed, we see no just reason for the continuation of the pagination through *five* volumes, without making to either of the volumes, so-called, either a title-page or an index. For one, we want to bind our volumes, and we cannot do so, it seems, until the collection shall have assumed a ponderous thickness of a thousand pages, when we may surely expect a title-page and tabel of contents, possibly an index.

## 2.—NOTES.

MADAME RIEDESEL.—We have been favored with a glance at one of the proofs of a portrait of this notable lady, which is intended for the illustration of our friend Stone's new version of her *Memoirs and Letters*; and we promise to those who have been delighted with a perusal of her writings a renewal of their pleasure when they shall see a representation on paper of her lovely face.

We do not wonder that good old General Schuyler sympathized with her in her troubles, and that the British and Hessian officers regarded

her as one of their guardian angels; and we can readily understand, also, why, with such a wife as he seems to have had, the grim Baron was so much more of a man than were many of the men of his time, American as well as British or German.

THE MEDICAL JOURNAL.—We take great pleasure in calling the attention of our professional readers, and there are many of them, to the advertisement of this widely known publication, which appears among our extra pages, at the end of this number.

As a specimen of periodical printing, there is nothing which will compare with it for beauty; and as a receptacle of information on the great subjects to which it is devoted, it is not less conspicuous. Conducted by our honored friend, Doctor William A. Hammond, recently the fearless and unbought Surgeon-General of the armies of the United States, it is as fearless in its judgments as it is clear and intelligent in its communication of knowledge; and while the earnest and honest seeker for truth will be delighted with it, woe be to him against whose hollow pretences it levels its artillery.

THE AMERICAN JOURNAL OF NUMISMATICS.—We have received the first number of the second volume of this work, which is edited by Doctor Geo. W. Perine, Professor Chas. E. Anthon, and E. Y. Ten Eyck, Esq., and published by The American Numismatic and Archæological Society of New York.

It is beautifully printed, on tinted, laid paper, by the Bradstreet Press; and we are gratified with the appearance of success which it wears. It is edited with ability and good judgment; and we commend it to those of our readers who do not already subscribe for it, if there are any such, as eminently worthy of their support.

—In 1750 there were but seven newspapers and periodicals published in the United States; in 1810 there were 359, including 25 published daily; in 1823 there were 598; in 1860, 4,051, circulating annually 927,951,548 copies. In Massachusetts, in 1823, the number was 35; in 1860, 222.

—THE RHODE ISLAND SOLDIERS' MONUMENT. The committee appointed by the Rhode Island Legislature to secure designs for a soldiers' monument, have agreed upon the model submitted by Randolph Rogers, and recommend an appropriation of \$50,000 for its erection. It is to be located in Providence.



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[No. 6.]

I.—WORK AND MATERIALS FOR AMERICAN HISTORY.—CONTINUED.

By GEORGE H. MOORE.

4.—NOTES ON THE MAINTENANCE OF THE MINISTRY AND POOR IN NEW YORK—THE COLONIAL MINISTRY ACTS—THE VESTRY OF THE CITY OF NEW YORK—THE MINISTER OF THE CITY OF NEW YORK—TRINITY CHURCH AND ITS FIRST RESIDENT RECTOR.

The maintenance of the Ministry and Poor under the earliest English Laws in New York, was provided for by the appointment of eight\* of the most able men, men of good fame and life, of each parish as Overseers,† two of whom were chosen the first or second day of April yearly by the Constable and Overseers to be Church Wardens. These overseers were chosen by the Household-ers of the Parish or the Freeholders in each Town, and were liable to a fine for refusal to serve. Their duties embraced the making and proportioning the levies and assessments for building and repairing churches, provision for the poor,‡ maintenance for the minister, as well as the more orderly managing of all Parochial Affairs in other cases expressed. The Constable was associated with them in making all assessments—which were to be proportionable to the estates of the inhabitants in the town or parish where they were to be made, and every defaulter was to be compelled to pay his rate by attachment or distress of goods to be levied by the Constable. No person was exempted from payment of the Church rates, every inhabitant being obliged to contribute to all charges both in

Church and State, "whereof he doth or may receive benefit." This feature in the law appears to have met with some opposition. It was repealed at the first meeting of the Court of Assizes in 1665, but was restored two years afterward, by the same authority, "to be as punctually observed, as any other law, any former order "to the contrary notwithstanding."

From the beginning, great regard was manifested for the due protection and observance of the Lord's Day. Sunday Laws form a part of the earliest English legislation in the province. Sundays were not to be profaned by travellers, laborers, or vicious persons. Sabbath-breaking was expressly enumerated among the abominable sins and misdemeanors to be presented by the Church wardens, Constable and Overseers at the Sessions. The Constable was required to arrest without warrant such as were guilty of Sabbath-breaking—and no writs or warrants were allowed to be executed on the Sabbath day, although officers might arrest in case of Riots, Felony or Escape out of Prison.

The first code also required that in each parish within the Government a church should be built in the most convenient part thereof, capable to receive and accommodate two hundred persons. This was found impracticable, for in the Amendments made at the meeting of the General Assizes in September and October of the same year, (1665) it was provided that such churches should be built within three years afterwards and to that end, a Town rate or tax was authorized to begin that year.

A good degree of liberality prevailed in the government. The articles of Capitulation declared that "the Dutch here shall enjoy the "Liberty of their Consciences in divine Worship "and Church Discipline." None but Protestant ministers were allowed to officiate within the government, but difference in judgment was allowed to all who professed Christianity. Indian Powowing and Devil Worship were expressly prohibited.

Governor Nicolls, in his Conditions for New Planters in the Territories of his Royal Highness the Duke of York, (May, 1665) allowed lib-

\* The number of overseers was afterwards reduced to four.

† In the Virginia law of that period these "overseers" were "vestrymen"—and they were required to take the oath of allegiance and supremacy and to subscribe to conform to the Church of England. Hening : ii., 15. In New York the overseers were required to take the oath of allegiance besides the oath of their office.

‡ The Maintenance of the Poor in New Netherland was provided for by contributions taken up in the Churches, and the fines imposed for offences committed were also appropriated to their support. The amount was increased by voluntary offerings from the inhabitants—and was known as the Deacons' or Poor-Fund. *Col. Doc. i.*, 300, 424.

erty of conscience, "provided such liberty is not converted to Licentiousness, or the Disturbance of others, in the exercise of the Protestant Religion." By another condition the maintenance of the Ministry was provided for:

"Every Township is obliged to pay their Minister according to such Agreement as they shall make with him, and no man to refuse his Portion, the Minister being elected by the Major part of the Householders Inhabitants of the Town."

On the 11th October, 1664, Dominies Joannes Megapolensis and Samuel Drisius appeared before the Burgomasters and stated that they had received their discharge from the Company "in date the last of the month of September, notwithstanding which as they were inclined to serve the Commonalty, they had addressed themselves to the Heer Governour Richard Nicolls and spoke to his Honour about the wages, who gave them for answer that it runs for the time of six months to which time the Company is receiving the Recognitions (Duties) after which time he shall see how the matter shall be arranged—that in order to ascertain how they shall have to regulate themselves, they with that view applied to the Burgomasters to speak to their Worships thereon; to which the Burgomasters replied, that the Acc<sup>s</sup> of the City's Income and Expenditure shall be made up as soon as possible, which shall then be shewn to the H<sup>r</sup>. Governour Rich. Nicolls and they shall then speak further with his Honour regarding the wages as well of the Ministers as of the other servants of the city." *B & S. Vol. V. 599.*

On 11th Oct. 1664, Mr. Evert Pieterzen, Schoolmaster of this City, represents, as his allowance from the Company is struck off, that Burgomasters and Schepens shall be pleased to keep him at the same allowance to wit: fl. 36 per month, fl. 125 for board, Hollands currency, free house for school and residence, and free passage to Patria; offering his Service and to continue the same. The order was that the Petitioner shall have to be patient for the space of Eight days, when his petition shall be disposed of. *M. & A. V. 696.* And on the 18th of October the matter was postponed "a day or two." *Ibid. V. 613.*

September 19, 1665. Mr. Evart Pieterzen petitioned for a suitable salary, as he was heretofore paid by the Hon<sup>ble</sup> Company, and has been continued in his employment.

"Whereas orders shall be shortly made relative to the Salary of the Ministers of this City, under which the Precentorship also comes, pro<sup>per</sup> order shall then be made herein likewise." *Mayor and Aldermen, VI. 73.*

November 13, 1665. The Chh. very low, there not being money enough to fence off the grave

yard—an advance was made from the Burghers' Excise the Chh. Wardens promising to refund the same from the first incoming money. *Ibid. 105.*

May 8th, 1666. Capt. Steynmetz entering demands payment of a year's rent of his house, hired to the city as a City School, due on the first of this month; amounting to the sum of fl. 260.

Petitioner is requested to wait yet a while, as there is at present no money in the chest. *M. & A. VI. 178.*

Governor Nicolls issued an order in 1665, authorizing and requiring the Deputy Mayor and Aldermen of the City of New York to raise the sum of 1200 Guilders in Beaver, towards the support and maintenance of the Minister of this City, to be paid in three payments by equal proportions every four months, beginning from September 1st, 1665.

On the 27 December, 1665, being informed that they had made little progress, although the first four months had nearly elapsed, he issued another order strictly requiring them to proceed, and "to give mee a List of those men, who being able are unwilling to contribute theire proportions to that good end."—*Orders, Warrants, &c. II. 24.*

At a Mayors Court, 7th February, 1666–7 The Hon<sup>ble</sup> Mayor propounding to the Court that it was the hon<sup>ble</sup> Govern<sup>r</sup>s pleasure that this Town should maintaine for one yeare longer one of the Ministers of this place, and whereas several persons were departed from this Place and others disainable to pay towards the same, whom the Last Yeare had subscribed

It is ordered that some of the Inhabitants should be sent for to appear in Court for to trye, or they would voluntarily Raise the sums which they promised the late yeares to pay towards the Maintainance of the Minist<sup>r</sup>.

*Names of the Persons who for One Yeare longer have Voluntarily promised to pay towards the Maintainance of one of the Ministers, videllect.*

	Beavers
Abell Hardebroeck	fl. 8.
Balthazar d'Haer continues as before	
Coenraet Ten Eyck	12.
Christoffel Hoaghlant	12.
Evert Duyckingh	5.
Fredrick Philipsen	24.
Fredrick Gysbersen	12.
Francois Rombouts	10.
Johannes de Peyster	16.
Cornelis Steenwick	28.
Isaack Bedloo	12.

Jacques Cousseau continues at 2 Bevers & profers 2 B<sup>rs</sup> more for them that disainable to pay what they have promised.



Mettie Wesseis	8.
Nicolaes Meyer puts down	24.
Nicolaes Backer	8.
Pouls Leenders continues	
Pieter Alrigs	10.
Johan d'Wit continues	
Jacob Leyslaer	12.
Tho. Hall	10.
Thomas Levis	8.
Symon Romeyn continues	
Jacob Hendrickx Varrevanger	8.
Reynier Vander Croele till May next ensuing one Bever	
Warner Wessels	12.
Willem Abransen	8.

*M. & A. VI. 260, 261.*

October 29th, 1667, at a Mayors Court, in the afternoon the following persons were sent for to Court and asked why they had not paid their quota to the Ministers money

Answer as follows

Timothy Gabrie promises to satisfy the Preachers, Tomas Laurensen promises to pay Hendrick Willemsen Baker Idem Jan Vrees: If he be forced, he must pay otherwise cannot.

Fredrick Arensen: Will not pay more than one year,

Lammert Mol says he cannot pay any more.

*M. & A. VI. p. 325.*

In the instructions by Gov. Lovelace to the Commissioners to Albany, appointed 11th April, 1670, the following is important. They were (concerning the Dutch church)

"7. To acquaint y<sup>e</sup> magistrates that I look upon that Church and Minister as the Parochiall Church of Albany (for so it was found Established by my p<sup>r</sup>decessor & myselfe & leave the supportation of it to y<sup>e</sup> discretion of y<sup>e</sup> magistrates to maintain a minister either by way of Taxe or otherwise & that no Inhabitant of what opinion soever be exempt but beare his proportion, & that they give me an Account of their transactions in this particular." *Court of Assizes: II. 490.*

Lovelace's "promise for y<sup>e</sup> allowing a Compendtent Maintenance to any Minister that shall come over to resyde here" is in *C. of A. II. 560*. Also, dated 28 June, 1670, in *M. & A. VI. 562*.

28 March, 1671. The Mayor's Court promise to make satisfaction to Domine Egidius Luyck for his services in aid of Domine Drisius. *M. & A. VI. 653.*

5 March 1672, The Court this day allowed to Dom<sup>e</sup> Luyck by way of gratuity for Preaching before Dom<sup>e</sup> Nieuwenhuysen's Arrival the somme of four hundred gilders seaw<sup>t</sup> value and ordered the Secretary to make payment thereof. *M. & A. VI. 770.*

On the 11th July, 1671, Uppon his honn<sup>r</sup> y<sup>e</sup> gouvern<sup>r</sup> Letter of Recommendation that y<sup>e</sup> Court together with some of y<sup>e</sup> officers of y<sup>e</sup> Church should take into consideration how y<sup>e</sup> Salary for y<sup>e</sup> Expected Minister from Europe may be Raised y<sup>e</sup> Court thereupon have thought fitt to appoint a private Court to be held on Fryday Next being y<sup>e</sup> 14th of this Instant in y<sup>e</sup> afternoone at a clocq and do further desire y<sup>e</sup> Late Aldermen together with y<sup>e</sup> Recent and y<sup>e</sup> late Church Officers will give theyr attendance at y<sup>e</sup> s<sup>d</sup> time to consult w<sup>th</sup> them consarning y<sup>e</sup> premises. *M. & A. VI. 679.*

Accordingly at a private meeting 14th July, 1671,

In obedience to his Honn<sup>r</sup> y<sup>e</sup> Govern<sup>r</sup>s Letter and in pursuance of this Courts' Order thereupon this day appearing in Court y<sup>e</sup> Former Magistraets together with y<sup>e</sup> present and former Church Officers of this City, unto whom the Worshipp<sup>t</sup> Court Manifested y<sup>e</sup> reason of this present meeting tendring onely for to advise together, how the sallarie, wch is promised towards y<sup>e</sup> Maintennance of y<sup>e</sup> Expected Minister might be raised, whereuppon y<sup>e</sup> following proposalls where made and presented to this Court.

Imprimis. That, whereas y<sup>e</sup> Great Excyse in the first beginning was Raysed, onely towards the Maintainence of the Ministers, that therefore the Ministers ought to be paid out of the s<sup>d</sup> Excyse, although some advancement should be made thereupon.

2dly. That y<sup>e</sup> Burger Excyse might be Raised soo much as will maintaine y<sup>e</sup> Minister and satisfie other necessarie Charges.

3dly. That the Costumes uppon y<sup>e</sup> Importation of Rom and Wines might be raised from 4 to 5 per cento or more.

4ly That an imposition might be raised uppon Rom going up for Albany & Esopus.

5thly That all Townes Charges might be Levied oy a Gennl Taxe, as itt is practicable by y<sup>e</sup> Neighboring Townes, provided y<sup>e</sup> Excyse be taken off.

Uppon which proposals, answer was made, that y<sup>e</sup> Sallary of the Ministers by y<sup>e</sup> English, usually is Levied by a Taxe & that about two yeares since y<sup>e</sup> Minist<sup>r</sup> was paid by the townesmen.

Whereuppon it was Replyeth that in case y<sup>e</sup> Necessity should Require a taxe itt should be much better that a Levy be made upon any other accompt as for the Maintenance of a Minister & secondly that y<sup>e</sup> Ministers about two yeares since where paid by the Townesmen was onely occasioned by the tyme of Warre, when the Government was not able to Maintaine them, and therefore it was then likewise proposed to continue but for one or two yeares, by a volun-



tarie Contribution, finally upon severall Debates, concerning y<sup>e</sup> former proposalls, itt was mutually concenscended unto for to Returne for advise Viz<sup>t</sup>.

"That itt would occasion a Great discontent amongst the people, to be both taxed & to pay Excyse Wherefore itt is in genn<sup>al</sup>y proposed, that y<sup>e</sup> Grand Excyse should be something Raised, & that an Imposition should be laid upon Rom going for Albany & Esopus and that y<sup>e</sup> Selling of Licq<sup>r</sup> to the Indians should be p<sup>r</sup>mitted as it is throughout all the government; And some excyse or Imposition should be raised thereupon or otherwyse that all the Excyses should be totally abolished; and a Genn<sup>al</sup> Taxe for all towne Charges be made." *M. & A. VI. 680-681.*

In 1671, 26th September, upon the request of "the Officers of y<sup>e</sup> Reformed Dutch Church in this City" Governor Lovelace issued an order authorizing "the present Elders and Deacons & those that from time to time shall succeed them in their places," "to make a Rate or Taxe amongst y<sup>e</sup> Inhabitants, and those that shall frequent y<sup>e</sup> Church in the best and most convenient manner they can devise for y<sup>e</sup> Maintenance of their Minister or Ministers, y<sup>e</sup> Clarke or other Officers of y<sup>e</sup> Church & y<sup>e</sup> poore, as also for y<sup>e</sup> reparacon of y<sup>e</sup> Church as occasion shall require." The tax levy was to be submitted to the Governor for his approbation. *General Entries*: IV. 47.

An order of the Assizes in October, 1672, enforced the observance of the laws of the government as to parochial churches and declared "that although divers persons may bee of different judgments, yett all shall contribute to the Minister established and allowed, which is noe way judged to be an infringement of the Liberty of Conscience, to which they may pretend."

In 1671, 21 December, the deacons of the Dutch Chh. complained that they were charged with some of the poore of the Lutheran profession notwithstanding a collection is made for the poore in the Lutheran Chh. as also that the deacons of the s<sup>d</sup> Lutheran Chh. do not according to custom in a Publicq Meeting deliver up their acts how they have disposed of the money so collected," &c.

The Court order each Chh. should for the future maintaine their owne poore, and the Lutheran Deacons should yearly deliver up their accounts in a public meeting in the same manner as in the reformed Christian Chh. of this City until this day hath bene practicable" &c. *M. & A. VI. 750.*

In 1675, March 1st. Governor Andross issued an order authorizing the Elders & Deacons of the Dutch Church to levy some arrears of voluntary subscriptions made before his arrival, by "severall in this City and Precincts, for Mainte-

nance of their Minister or Ministers, Church Officers, Poore, and other Church charges," and "to dispose and apply the same as hath been accustomed by their Predecessors," &c. They were required to keep "a due and faire Acco<sup>t</sup> thereof in writing." The order further required the said subscribers to pious uses to make payment accordingly. *Warrants, Orders, &c. III. 59.*

At a Councell, June 7, 1675, it was

Ordered, that y<sup>e</sup> Courts of Sessions of y<sup>e</sup> severall Ridings of Long Island be enjoyned to make enquiry how y<sup>e</sup> Lawes have been putt in Execution, in relation to y<sup>e</sup> Church and Church affaires, and that y<sup>e</sup> respective Townes who shall be found defective, bee forthwith ordered to do their duties therein: In default whereof to be proceeded against at y<sup>e</sup> next Gen<sup>al</sup> Court of Assizes, according to y<sup>e</sup> Severity of y<sup>e</sup> Law upon y<sup>e</sup> Acco<sup>t</sup> for their Contempt. *Council Minutes, III. 40.*

June 28, 1675, Order continuing all Magistrates and Officers, civil and military in their respective places, &c. taking Oath of Allegiance to his Majesty & Fidelity to the Duke, and to act by their established lawes as formerly:

"And that all now and hereafter enjoy their Church Priviledges & liberty of their Consciences, Unless such Persons as live scandalously, or disturbe y<sup>e</sup> publieque peace of the Government, by acting contrary to y<sup>e</sup> Lawes thereof." *Council Minutes, III. 43.*

At the Court of Assizes in October of the same year, the church affairs being taken into consideration, and particularly the maintenance of the ministry, it was ordered for that object, that besides the usual Country Rate, a double rate should be levied on all those towns in which there was not already a sufficient maintenance for a minister.

In the Records of the Court of Sessions at Gravesend, 21 Dec. 1676, "the Church affairs as to Ministers or Readers & Schooles for Children moved to be considered: Gravesend noted to be "the most remiss herein." *Conveyances Kings Co. Lib. I. Reverse side.*

Notwithstanding the ample legal provision on the subject some of the towns appear to have been backward in carrying the laws into effect. In 1677, a petition was presented to the Gen. Court of Assizes, in which the first prayer is "that the Maintenance and Encouragement for y<sup>e</sup> Ministry may by some way be established & that such Encouragement may bee that there may bee a Minister in each respective town that wants." It is noticeable too, that the next item is "that there may also be some way established for the Maintenance of a Schoolmaster in each town."

The response of the Court appears to have

been that the necessary order was made "last Cort," with respect to the Ministry, while the school question was referred to the Towne and the Court of Sessions. *Col. MSS.* xxvi. 122.

In his answer to enquiries about New York in 1678, Governor Andros gave the following account of the religious state of the Province

"There are Religions of all sorts, one Church of England, several Presbyterians and Independants, Quakers and Anabaptists, of several sects, some Jews, but Presbyterians & Independants most numerous and substantiall.

"The Duke maintains a chapline w<sup>ch</sup> is all the certain allowance or Chirch of England, but peoples free gifts to y<sup>e</sup> ministry, And all places oblidged to build Churches and provide for a minister, in w<sup>ch</sup> most very wanting, but presbyterians and Independents desirous to have and maintaine them if to be had, There are about 20 churches or Meeting-places of w<sup>ch</sup> above halfe vacant theire allowance like to be from 40<sup>li</sup> to 70<sup>li</sup> a yeare and a house and garden. Nee beggars but all poor cared for. If good Ministers could be had to goe theither might doe well and gain much upon those people.' *Col. Doc.* III. 262.

The Charter of Liberties and Privileges granted by the Duke of York in 1683-4, the Great Charter of New York, made ample provision for liberty of conscience to all Christians, and provided also for the maintenance of the Ministry of all Christian churches.

The former settlements and subscriptions for this purpose in the towns on Long Island were confirmed, as well as those which might subsequently be made in the same way—"two thirds of the voices in any towne," concluding the minority, who were "to be regulated thereby."

The same Charter recognized all the respective Christian churches then in practice within the City of New York and the other places of this province as privileged churches, so established and confirmed by the former authority of the Government—and proceeded to confirm them in all their rights as such "from henceforth forever." The existing contracts for the maintenance of the Ministry were also ratified, and all contracts for the future were to be of the same power.

Throughout the Province, in default of payment by towns or individuals, a summary process was authorized for the collection of the assessments and subscriptions, by a warrant from any Justice of the county "to levy by distresse with Costs and Charges," when the amount was under forty shillings, or "otherwise to be recovered as the law directs."

Dongan's administration of this law was such as to elicit the praise of the Governor of New Plymouth, whose Address & Petition to the King in 1687, contains the following passage, referring

to the established law for the maintenance of the ministry—

"And so it is practiced under your majesty's Government of New York, where the Governor there shows himself of a noble and praise-worthy mind, by taking [care] that all the people in each town do their duty in maintaining the minister of the place, though himself of a [different] persuasion from their way." *Hinckley Papers: M. H. S. Coll. IV. c. 180.*

When Dongan sent Captain Palner and Mr. Graham to Connecticut in 1687 to induce them to surrender their charter, and to urge them to consent to be annexed to the Government of New York—among the advantageous terms offered was the following item—

"The Clergy to be provided for sufficiently—heer y<sup>e</sup> has least in this Govern<sup>t</sup> receives £60 per annum" *Col. MSS.* 35, 73. But the delegates found "them obstinate not to surrender to the King." *Col. MSS.* xxxc. 64.

Among other privileges of these churches, they appear to have been exempted from taxation. In 1684, the Lutheran Congregation presented a petition to the Governor & Council, pleading their privileges, &c. They allege that they had been assessed, although the Calvinists had not, and their petition is to be released, &c. The opinion of the Council was, Sept. 6, 1684, "that the house appointed for the Lutheran Minister should be as free and exempted from taxes, as that of the Dutch and French ministers" and their petition was remitted with this opinion to the Mayor and Aldermen of the city. *Col. MSS.* xxxi. 173. *Doc. Hist.* III. 246.

In 1683, when the people were first admitted to take part in legislation, an Act was passed for the defraying of the publique and necessary charge of each respective City, Towne and County throughout the province and for maintaining the poore and preventing vagabonds. This act provided for the annual election of Commissioners for the supervising the publique affairs and charge of each respective City, County and Town, and specially recognizing "the custom and practice of his Maties Realme of England and all the adjacent colonies in America" to take care and provide for the poor, charged the Commissioners with that duty. The act provided securities against the importation or introduction of stranger poor. Any person not having a visible estate, or a manual craft or occupation, coming into any place within the province, was obliged to give security, not to become chargeable within two years, and captains of vessels bringing passengers into this province, were required to report them to the chief magistrate of the place, within 24 hours after their arrival.

The Commissioners appointed under this Act succeeded the "overseers" of the Duke's Laws,



and were followed by the "Supervisors" of 1703. Gov. Dongan, in his Report on the State of the Province, in 1687, says "every Town and County are obliged to maintain their own poor, which makes them be so careful that no Vagabonds, Beggars nor Idle Persons are suffered to live there." He adds "But as for the Kings natural-born subjects that live on Long Island & other parts of the Government I find it a hard task to make them pay their Ministers." *Col. Hist. III.* 415.

It was a constant instruction to the Colonial Governors to endeavour to secure due provision for the maintenance of the ministry, and always with special intention and regard to the service of the Church of England. The ecclesiastical jurisdiction of the Bishop of London was recognized, excepting in the collation to Benefices, granting licenses for marriages and probate of wills, which were reserved to the Governor or Commander in chief for the time being.

Among the earliest suggestions from Governor Sloughter and his Council to the Assembly in 1691, came that of a suitable provision for a Ministry in every Town and its maintenance, and An Act for that purpose was prepared and offered to the Consideration of the Assembly by the Governor.

The Assembly appear to have been sensible of the propriety of the provision proposed, and in their list of several bills sent to the Attorney General to be drawn up (18 Apl. 1691) the first in order is

"A Bill for settling the Ministry, and allotting a Maintenance for them, in each respective City and Town, within this Province, that consists of forty families and upwards."

Mr. George Farewell was sent by his Excellency to supply the Attorney General's place in drawing up the proposed bills—took the minutes and Heads of the divers bills on the 20 April, 1691. On the same day, a Recommendation from divers Freeholders, in respect to Mr. *Edward Stude*, Minister, to officiate as Pastor or Minister, in this City was read, and referred to his Excellency himself, as Ordinary, and the only proper judge, in this Matter. On the 1st. of May, Mr. Farewell's bill for the Settlement of the Ministry, &c. was read the first time, and not answering the intent of this house, is rejected, and ordered that another bill be brought in. Geo. Farewell's Bill of Costs, 20 May, 1691, charged for drawing the following bills "all wch were drawn by mee alone"—A Bill for settling the Ministry, A Bill to appoint Schoolmasters, A Bill to regulate abuses on the Lord's Day, and a Bill for raising £2000—£3,000, and the following "in wch Mr. Enott assisted—for my part" £2,000. A Bill of Indemnity—A Bill to ease People scrupulous in Swearing—and a Bill for estab-

lishing the Revenue—*Col. MSS.* 37, 117 and 118. The same bill gives the fees as their Matys Counsell in the Leisler prosecutions, &c.

At the next session, August 23, 1692, it was ordered that a bill may be drawn for the better observation of the Lord's Day, and that each respective Town within this province have a Minister or Reader, to read Divine Service.

Soon after Gov. Fletcher's arrival, at his first meeting with the Assembly summoned by him, 24 Oct. 1692, he recommended a provision for the support and encouragement of an able Ministry. At their second meeting, 22 March, 1693, he renewed his recommendation, referring to his previous message on the subject, and adding "I do not understand that you have made one step towards it: therefore recommend it to your particular care this sessions."

On the 1st April, 1693, the Assembly ordered that the Committee formerly appointed for the settling the Ministry and Schoolmasters, do forthwith proceed upon that business.

On the 3d April, 1693, the Committee appointed for the settling of a Ministry throughout the Province, desire that they may have further Time, for the Consideration thereof, whereupon it was

*Ordered*, That they make report of their Proceeding to this House, on Thursday Morning next [6th April]

The deficiencies in the Journal of this session include the record of the further proceedings on this subject, but it is apparent that the Governor's views were not promoted by the action of the Assembly; and at the close of the session, he told them

"Gentlemen: The first thing that I did recommend to you at our last meeting, was to provide for a Ministry; and nothing done in it. There are none of you but what are big with the privilege of Englishmen, and Magna Charta, which is your right; And the same Law doth provide for the religion of the Church of England, against Sabbath breaking, swearing and all other profanity. But as you have made it last and postponed it this Sessions, I hope you will begin with it the next meeting and doe somewhat towards it effectually."

In the same year, he summoned a new assembly and in his opening speech, renewed his former recommendation—as "always the first thing I have recommended, yet the last in your consideration. I hope you are all satisfied of the great necessity and duty that lies upon you to do this, as you expect His blessing upon your labors."

On the same day (12 Sept. 1693) the assembly promptly responded by the following order:

*Ordered*, That Major Merrett, Mr. Theale, Major Wessels, Mr. Van Ecklen, Captain Jack-

son, Mr. Rutsen, Col. Pierson, and Mr. Stillwell be a Committee to agree upon the easiest and best Methods, for the calling and settling a Ministry, in each respective precinct throughout the Province, and make report thereof tomorrow morning at 8 o'clock. This committee consisted of one from each County—Ulster and Dutchess being at that time represented together.

The report of the Committee was duly presented at 8 A. M. Sept. 13., read and ordered to be recommitted to the said Committee for further consideration till 2 o'clock P. M.—when the Committee desired till tomorrow for their report. On the next day, 14th, their report being read several Debates did arise thereon, so it was recommitted to the said Committee for further consideration. On the 15th the report was read and approved, and an Order was made that a bill be brought in for the establishing of it [the Ministry] accordingly.

On the 19th Sept. 1693, Mr. Speaker brought in the bill for settling the Ministry, &c, which was read a first and second time, and ordered to be committed to the former Committee of the whole house. And on the 21 Sept. 1693, the Bill, &c, with its Amendments &c, was read a third time, and passed and ordered to be sent up to the Governor and Council, for their consent.

On the same day, the Council ordered the bill for settling a Ministry to be read a second time. [I find no record of its first reading in the printed minutes, nor in the original MS. at Albany].

The entry immediately following shows that the Executive Council were not at all satisfied with the Assembly—and advised its dissolution, or for the present a prorogation.

On the 22d the Council ordered the bill read a third time and it was assented to by the Governor and Council, with this amendment: That in the last sheet between the lines 3<sup>d</sup> & 4<sup>th</sup> be inserted (and presented to the Governor to be approved and Collated).

The bill with amendment was then sent to the representatives to desire their consent thereunto. The Gov.'s haste was so great, that he instructed the messenger to tell the Representatives to despatch the business before them, time being precious and a charge growing upon the Country.

They replied that they had no business before them, that they waited his Excellency's pleasure and that they would immediately despatch this present bill with amendment.

This they accordingly did and on the same day in the P. M. meeting of the Council, the Clerk of the Council acquainted that body that the Representatives had refused to amend the bill. They considered the amendment, but could not agree thereunto, but prayed that it might pass without that amendment, having in the drawing of the bill, had a due regard to that pious intent

of settling a Ministry, for the benefit of the people.

The Gov. forthwith summoned the House to attend in the Council Chamber—where he informed them that he had passed the Revenue Bill and the Ministry Act; reproved them for their stubbornness in the matter of the Revenue—and proceeded to prorogue them in the words following:

"There is also a Bill for settling a Ministry in this City and some other Countyes of the Government; in that very thing you have shown a great deal of stiffnesse. You take up on you as if you were dictators. I sent down to you one amendment of three or four words in that Bill, which tho' very immateriall yet was positively denied. I must tell you it seems very unmannerly; there never was an amendment yet desired by the Council board but what was rejected; it is the sign of a stubborn ill temper and this have also passed. But

"Gentlemen

"I must take leave to tell you if you seem to understand by these words (calling the Minister) that none can serve without your collation or Establishment, you are far mistaken; for I have the power of Collating or suspending any Minister in my Government by their Maties Lres Patents: and whilst I stay in the Government, I will take care that neither heresy, sedition, schism, nor rebellion be preached amongst you, nor vice and profanity encouraged. It is my endeavour to lead a virtuous and pious life amongst you and to give a good Example. I wish you all to doe the same. You ought to consider that you have but a third share in the legislative power of the Government and ought not to take all upon you nor be so peremptory: you ought to let the Council have a share: they are in the nature of the House of Lords or Upper house: but you seem to take the whole power in your own hands and sett up for every thing. You have sitt a long time to little purpose and have been a great charge to the Countrey; tenn shillings a day is a large allowance and you punctually exact it. You have been always forward enough to pull down the flees of other ministers in the Government. Why did you not think it expedient to correct your own to a moderate allowance?

"Gentl. I shall say noe more at present but that you with draw to your private affairs in the Countrey. I doe prorogue you to the 10th of January next and you are hereby prorogued to the 10th of January next ensuing."

The passage of the bill, however, was a source of some satisfaction to the church party, incomplete as it was and not by any means adequate to their hopes. Gov. Fletcher to the Committee of Trade, 9th Oct. 1693, says "I have gott them



"to settle a fund for a Ministry in the City of New York and three more Countys which could never be obtained before, being a mixt people and of different persuasions in religion." *Col. Hist.* iv. 57.

A letter of Colonel Morris to the Secretary of the Society for Propagating the Gospel, 20th February, 1711, gives something of the interior history of this Act. He states that James Graham, who was Speaker of the Assembly in 1693, drew the bill and "prescribed a Method of Induction and so managed it that it would not do well for the Dissenters and but lamely for the Church tho' twould do with the help of the Governor and that was all: but 'twas the most that could be got at that time for had more been attempted the Assembly had seen through the artifice the most of them being Dissenters and all had been lost."

There can be no doubt that it was the intention of the Assembly to provide for the maintenance of the Dissenting Clergy. Such had been the manifest tendency of the previous legislation on the subject. All the Assembly but one were Dissenters, and the Church of England was hardly known in the Province. "There was no face of the Church of England here till about the year 1693." The Act was very loosely worded, which as things stood then when it was made could not be avoided. The Dissenters could claim the benefit of it as well as Churchmen, and unless wrested from its true bearing it admitted a construction in their favor. Indeed they had good reason to claim that it was intended for them, and that they only had a right to it. In fact, it was arbitrarily and illegally wrested from its true bearing, and made to answer the purpose of the English Church party, which was a very small minority of the people who were affected by the operation of the law.

The Act of 1693 itself is a conclusive argument against the alleged establishment of the Church of England in the Province of New York. It was not established by any law of the Province, nor by the Ecclesiastical Law of England extending over the Province, which was thus excluded or modified by express law made by competent authority. The language of the Report of the Venerable Society in 1705 further illustrates this point. "The Protestant Religion is settled here by Act of Assembly as Established in England, except in Suffolk County."

In a "Letter from a Gentleman in New York to his Friend in the Country" (published in 17—) referring to a petition to the Assembly, and a design to make Philippsburgh provide for an Episcopal Church, etc. the writer says—"the ridiculous Pretence that the Church of England is Established in this Province, which they know to be false, and have actually been

"(sic) admitted to be so by establishing a Episcopal Church in the City of New York independent of the Church of England, in which the Assembly was most shamefully deluded by their Artifices, as appears by the Votes of the House, and for which they still take money from all other Denominations, contrary to all Equity and good Conscience, especially considering what enormous Estate they have of their own, for which the best part of their title is their possession." *Broadside in the Force Collection.*

*An ACT for Settling a Ministry, and Raising a Maintenance for them, in the City of New-York, County of Richmond, Westchester, and Queen's-County.*

Pass'd the 22d of September, 1693.

**WHEREAS** Profaneness and Licentiousness hath of late overspread this Province, for Want of a settled Ministry throughout the same: To the End the same may be removed, and the Ordinances of GOD duly administred;

I. Be it Enacted by the Governor, and Council, and Representatives convened in General Assembly, and by the Authority of the same, That in each of the respective Cities and Counties hereafter mentioned

and expressed, there shall be called, inducted, and established, a good sufficient Protestant Minister, to officiate, and have the Care of Souls, within one Year next, and after the Publication hereof, *that is to say*: In the City of New York, one; in the County of Richmond, One; in the County of Westchester, Two; One to have the Care of Westchester, Eastchester, Yonkers, and the Manor of Pelham; the Other to have the Care of Rye, Manarenock, and Bedford; in Queen's County, Two; One to have the Care of Jamaica, and the adjacent Towns and Farms; the Other to have the Care of Hampstead, and the next adjacent Towns and Farms.

II. AND for their respective Encouragement, Be it further Enacted by the Authority aforesaid, That there shall be annually, and once in every Year, in every of the respective Cities and Counties aforesaid, assessed, levied, collected, and paid, for the Maintenance of each of their respective Ministers, the respective Sums hereafter mentioned, *that is to say*: For the City and County of New-York, One Hundred Pounds; for the two Precincts of Westchester, One Hundred Pounds, to each Fifty Pounds, to be paid in Country Produce, at Money Price; for the County of Rich-

The respective Sums to be raised for their Maintenance;

Cash to the Ministers of New York.

But to the Country Ministers Country Produce.

mond, Forty Pounds, in Country Produce, at Money Price; and for the two Precincts of Queen's County, One Hundred and Twenty Pounds, to each Sixty Pounds, in Country Produce, at Money Price.

The method of raising the maintenance

III. AND for the more orderly Raising the respective Maintenances for the Ministers aforesaid, Be it further Enacted by the Authority aforesaid, That the respective Justices of every City and County aforesaid, or any Two of them, shall every Year issue out their Warrants to the Constables, to summons the Freeholders of every City, County, and Precinct aforesaid, together, on the second Tuesday of January, for the chusing of Ten

Vestry-men and Church-Wardens to be chosen.

Vestry-Men, and two Church-Wardens; and the said Justices and Vestry-Men, or major Part of them, are hereby impowered, within Ten Days after the said Day, or any Day after, as to them shall seem convenient, to lay a reasonable Tax on the said respective

Who shall lay a tax, Cities, Counties, Parish, or Precincts for the Maintenance of the Minister and Poor of their respective Places; and if they shall neglect to issue their Warrants, so as the Election be not made that Day, they shall respectively forfeit Five Pounds,

Or forfeit £5 each.

current Money of this Province: And in Case the said Freeholders duly summoned, as aforesaid, shall not appear, or appearing, do not chuse the said Ten Vestry-Men and two Church-Wardens, that

If Church Wardens &c. are not chosen Justices to lay the Tax or

Justices shall, within Ten Days after the said second Tuesday, or on any Day after, as to them shall seem convenient, lay the said reasonable Tax, on the said respective Places, for the respective Maintenances aforesaid: And if the said Justices and Vestry-Men, shall neglect their Duty herein, they shall respectively forfeit Five Pounds, current Money aforesaid.

Forfeit £5 each.

IV. And be it further Enacted by the Authority aforesaid, That such of the Justices and Vestry-Men, that shall not be present at the Time appointed, to make the said Taxes, and therefore be convicted, by a Certificate under the Hands of such as do appear, and have no sufficient Excuse

Penalty for not appearing to lay tax £5.

for the same: shall respectively forfeit Five Pounds, current Money aforesaid: And a Roll of the said Tax so made, shall be delivered into the Hands of the respective Constables of the said Cities, Counties, Parishes and Precincts, with a warrant

Tax Roll to be delivered to the Constables to levy Taxes.

signed by any two Justices of the Peace, im-

powering him or them to levy the said Tax; and upon Refusal, to distrain, and sell by publick Outcry, and pay the same into the Hand of the Church-Wardens, retaining to himself Twelve Pence per Pound, for levying

Penalty for refusing to pay Taxes.

thereof: And if any Person shall refuse to pay what he is so assessed, and the said Constables do strain for the same; all his Charges shall be paid him, with such further Allowance for his Pains, as the said Justices, or any of them, shall judge reasonable; And if the said Justice or Justices, shall neglect to issue the said Warrant, he or they respectively shall forfeit Five Pounds current Money aforesaid; and if the said Constables, or any of them fail of their Duty herein, they shall respectively forfeit

And on Constables for neglect of Duty.

Five Pounds current Money aforesaid. And the Church Wardens so chosen, shall undertake the said Office, and receive and keep a good Account of the Monies or Goods levied by Virtue of this

Church Wardens to keep Accounts.

Act, and the same issue by Order from the said Justices and Vestry-Men of the respective Cities, Counties, Precincts, and Parishes aforesaid, for the Purposes and Intents aforesaid, and not otherwise: And the Church-Wardens shall, as often as thereunto required, yield and give a just and true Account unto the Justices

And Account to the Justices, &c.

and Vestry-Men, of all their Receipts and Disbursements; And in Case the said Church-Wardens, or any of them, shall neglect their Duty therein, they shall respectively forfeit Five Pounds, current Money aforesaid, for every refusal.

Under Penalty of £5 each.

V. And be it further Enacted by the Authority aforesaid, That the said Church-Wardens, in their respective Precincts afore

They to pay the Ministers quarterly.

said, shall, by Warrant, as afore said, pay unto the respective Ministers, the Maintenance aforesaid, by four equal and quarterly Payments, under the Penalty and Forfeitures, of Five Pounds current Money aforesaid, for each Neglect, Refusal, or Default; the one Half of all which Forfeitures, shall be disposed of to the Use of the Poor, in the respective Precincts where the same doth arise, and the other Half to him or them that shall prosecute the same.

VI. Always provided, and be it further Enacted by the Authority aforesaid, That all and every of the respective Ministers, that shall be settled in the respective Cities, Counties, and Precincts aforesaid, shall be called to officiate in their respective Precincts, by the respective Vestry-

Ministers to be called by the Vestry-Men, &c.

Men, and Church-Wardens aforesaid. And, Always Provided, That all the former



Agreements, made with Ministers throughout this Province, shall continue and remain in their full Force and Virtue; any Thing contained herein to the contrary hereof, in any wise notwithstanding.

This Act not to affect former Agreements with Ministers

In accordance with the Act of Assembly, the Freeholders of the City of New York appeared at the City Hall on Tuesday the ninth of January, 1694, and proceeded by a majority of votes to elect their first Church Wardens and Vestrymen. Nicholas Bayard and John Kerfbyl, *Church Wardens*, and Robert Darkins, Robert Walters, William Jackson, Jeremiah Tothill, John Crooke, John Spratt, Isaac Van Flaek, Mathew Clarkson, Isaac D'Riemer and Johannes DePeyster, *Vestrymen*. All which was duly performed in the presence of James Graham and William Merritt, Justices of the Peace.

The Board however displayed no very great zeal in the discharge of their duties. Two or three ineffectual meetings of the Justices and Vestrymen took place, and on the 29th of January, the meeting was "adjourned till Monday next att nine of the Clock to appear at the ring of the Bell upon the penalty in the act, &c. provided." On that day, the 5th February, 1694, upon reading the act, they unanimously agreed that a tax of One Hundred Pounds should be "assessed, levied, collected and paid by all and every y<sup>e</sup> Inhabitants and Residents within this City and County for y<sup>e</sup> Maintenance of a Good sufficient Protestant Minister according to the directions in the s<sup>d</sup> Act." They further provided for the preparation of the necessary estimate and tax-roll to be prepared and returned to the Clerk of the Vestry by the first day of March, and that a tax should also be made for the relief of the poor who were fit objects of charity, of whom a list was to be made.

On the same day, a meeting of the Church Wardens and Vestrymen was held and adjourned till the following Monday "att nine of the Clock att y<sup>e</sup> first ring of the Bell." Of this adjourned meeting, February 12th, 1694, the following is the record: all the members being present:

"Upon reading an Act of Gen<sup>l</sup> Assembly entitled an Act for settling a Ministry and raising a Maintenance for them in the City of New York, &c. itt was proposed to this board what Perswasion the person should be of by them to be called to have the Care of Souls and Officiate in the office of Minister of this Citty, by Majority of Votes itt is the opinion of y<sup>e</sup> board that a Dissenting Minister be called to officiate and have the Care of Souls for this Citty as aforesaid."

At this stage of the proceedings, the then resident Chaplain of the Forces, Mr. John

Miller, endeavoured to secure the benefit of the living established by the act, but without success.

On the 15th. February, 1693-4 His Excellency did acquaint the Council that Mr. John Miller, Chaplain to the two companys of Granadeers did produce to his Excellency a Lycense from the Right Reverend the Lord Bishop of London for him to discharge the office of a Chaplain in New Yorke in America and by virtue thereof demanded induction into the living lately Established by Act of Assembly for the maintenance of a Protestant Minister in the City of New Yorke, and others in some other Countyes within this Province His Excellency demanded the opinion of this board whether the said John Miller be by that lycense or faculty entituled to this living. The Council *namine contradicente* are of opinion that the said John Miller is not thereby entituled to that living. *Council Minutes: VII. 54.*

On the first day of March, according to adjournment, the Justices & Vestrymen met and "y<sup>e</sup> Committee appointed for y<sup>e</sup> bringing a Role and Estimate of all y<sup>e</sup> Real & personal Estates of & every y<sup>e</sup> Inhabitants & Residents within this City, &c. doe desire further time for y<sup>e</sup> Effecting the same." Whereupon, it was ordered that the same "be brought in by Thursday next nine o' clock." They met on the 8th March, accordingly, and again adjourned for three weeks. But no record appears of a meeting at that time, and at the next meeting recorded (October 10th, 1694) nothing appears to have been done. On the 3d November, a meeting was held, when the Mayor acquainted them the reason of his calling them together was to inform them that "there was an Act of Assembly requiring them with the Justices to Lay a Reasonable Tax for y<sup>e</sup> Maintenance of a Minister & the poor of this Citty whereupon itt was Objected by several of the vestrymen that the time of Calling of the Minister being Relapsed itt was not Convenient to Raise a Tax att this time, upon consideration whereof the Mayor did put the Question whether they would Pursuant to the said Act Raise a tax for y<sup>e</sup> Maintenance of the Minister and the poor. Carried by the Vestrymen *Nemine Contra Dicente* in the negative."

On the 7th. of January, 1695, the last day of their term of office—they came together again and "The Mayor again put the Question to this board whether they would Raise a Tax For y<sup>e</sup> Maintenance of y<sup>e</sup> Minister & y<sup>e</sup> poor pursuant to y<sup>e</sup> Act of Gen<sup>l</sup> Assembly in that Case Provided.

"Itt is y<sup>e</sup> opinion of the whole Board (the Mayor excepted) that they Cannot Raise the Money till a Minister be Called, upon w<sup>ch</sup> the Mayor publickly Protests against y<sup>e</sup> Opinion of y<sup>e</sup> Justices & Vestrymen & says he is ready to

"comply with & execute with what is required "in the s<sup>d</sup> Act."

Charles Lodwick was at this time Mayor.

The second election under the Act took place on the 8th of January, 1695. Johannes Kip and Jacobus Cortlandt were elected *Church Wardens*, and Philip French, Theunis D:Key, Robert Sinclair, Jeremiah Tothill, Brandt Schuyler, Robert Darkins, Johannes DePeyster, Isaac DeRiemer, William Jackson, and John Spratt, *Vestrymen*. There was no change favorable to the views of the English Church party—the board continuing to be as "Dutch and dissenting" as before.

One of the first effects of the new election was to excite the wrath of Governor Fletcher, whose zeal was great in the interests of the English Church Establishment; and the records of the Council betray its effects. On the 10 January, 1695, His Excellency did acquaint the Council that there is an open contempt seems to be thrown upon an Act of Assembly for the establishing a ministry, &c, by the inhabitants of this city in choosing such for church Wardens and Vestrymen as either refuse or neglect to put the Act in execution and desired their opinion what is proper for the remedy thereof.

It is the opinion of the board nemine contradicente that persons offending against the said Act ought to be prosecuted according to the form thereof at their Maties charge and that the Receiver General may advance money out of the Revenue for that purpose. *Council Minutes: VII* 113.

The new board met on the 19th day of January, 1695, at the call of the Mayor, who informed them of their election and its due return by the justices and thereupon withdrew. The board then agreed to meet on the next Saturday, 26th January, at eight o'clock in the morning, "in order For the Calling of a Minister pursuant "to the directions of Act of Gen<sup>l</sup> Assembly in "that Case made and Provided." This they accordingly did, and the following is a copy of the entry on their record of the proceedings: all the members being present.

"Pursuant to an Act of Gen<sup>l</sup> Assembly, Entitled An Act For the settling a Ministry & "raising a Maintenance for them, &c, the Church "Wardens and Vestrymen above named have "this day mett & nemine Contra Dicente Called "Mr. William Vezey\* to officiate in the same "place according to the directions in the said "Act contained."

This official record of his call to officiate and have the care of souls under the Act of 1693 is the earliest notice of WILLIAM VESEY in connection with the church in New York, where he

was afterwards so well known and distinguished as Minister of the City of New York, Rector of Trinity Church and Commissary of the Bishop of London. The later portions of his career are measurably familiar to the students of our early history, but the interesting particulars of his first appearance and the singular circumstances attending his call to the ministry in New York and the establishment of Trinity Church, have hitherto been among the "hidden things" of our historic past.

William Vesey (or Veazie, as the name was more generally spelt in New-England) was born in Braintree, in the Colony of Massachusetts, in 1674. His family was probably of English origin and had been at that time long established in Braintree.

Mr. Vesey graduated at Harvard College in 1693. We have no particulars of his preparation and early training, or the circumstances under which he determined to devote himself to the ministry. In later years some of the Vesseys of Braintree appear as Church Wardens, Vestrymen, &c. of the Church there in correspondence with the Venerable Society in England, and a letter from William Vesey and several others, from Braintree, September 1, 1710, contains the following passage—"Mr. Vesey, Minister of the "Church of New York when he was a youth can "say that he with his parents and many more "were communicants of the Church of Engiand "and that in their family at Braintree divine service was daily read." *Dr. Hawks's MSS.* His father was an avowed Jacobite, and one of Bellomont's letters in 1699 to the Lords of Trade was accompanied with a copy of the indictment for "uttering desperate words against his Majesty," upon which he says that Vesey was "tryd, convicted and sentenced to stand in the Pillory." The Court Records at Boston show that "William Veazey of Braintree was presented and "held to bail for £500—having said that K. "James was his lawful prince and that he did "not know how this King came to y<sup>e</sup> Crowne "and that the Crowne belonged to heirs by succession." This was in October, 1696. *Records:* 1686—1700 p. 75. Bellomont wished to have the Reverend Mr. Vesey displaced and spared no pains in enforcing upon the authorities in England the "ill principles of the father" as probably shared by the son; and in the heated party contests of that period, the latter appears to have been either too much or too little of a politician to avoid their violence.

But whatever may have been the earliest influences upon his mind from his family associations and connections, there was little or no opportunity and still less encouragement for any man to seek advancement in the way of the Church of England. The atmosphere of Massa-

\* Mr. Vesey's Christian name seems not to have been familiar at the time of his appointment. A blank was left for it in the original entry, which was afterwards filled in.



chusetts was very unfavorable, and the machinery of education was entirely controlled by men who were of all things most hostile to Episcopacy. The list of graduates of Harvard College prior to 1700 must furnish a very brief list of men who were at any time connected with the Episcopal church.

Mr. Rapelye says, in his Sketch of Mr. Vesey, communicated for *Sprague's Annals of the American Pulpit*, that he pursued his theological studies under the direction of the Rev. Samuel Myles, Rector of King's Chapel, Boston. No authority is given, and the statement can hardly be true, for Dr. Myles was absent in England from July 1692 to July 1696—that is, for more than a year before Mr. Vesey graduated until after he is known to have exercised the functions of the Ministry (in 1695) upon Long Island.

A more consistent account of his education is given in a remarkable letter, written about 1714, and printed in the *Documentary History III.* 264. This account states that "he had received 'his education in Harvard College under that 'rigid Independent Increase Mather and was 'sent from thence by him to confirm the minds 'of those who had removed for their convenience from New England to this Province, for 'Mr. Mather having advice that there was a 'Minister of the Established church come over 'in quality of Chaplain of the forces, and fearing that the Common Prayer and the hated 'Ceremonies of our Church might gain ground, 'he spared no pains or care to spread the warmth of his emissaries through this Province." This account of his training is confirmed by Chief Justice Atwood who, in a Memorial to the Lords of Trade, refers to him as "bred a dissenter"; (*Col. Hist.* V. 104) and Gov. Hunter who states that "he was formerly an Independent 'Minister in New England." (*Ibid.* 311).

Mr. Vesey was undoubtedly engaged in the work of the ministry in the Province of New York, as early as some time in the year 1694. He must have been a popular preacher, and in his occasional visits to the city of New York, he gave such satisfactory evidence of his ability in his public ministrations—as paved the way to his subsequent settlement there. Humphreys says of him in connection with the Church establishment in N. Y. "Mr. Vesey was then in 'the Place, but not in holy Orders; a gentleman 'highly approved of and beloved by every one."

It is certain that Mr. Vesey preached at Hempstead to the congregation there, mostly Dissenters from the Church of England, but some Dutch, about 1695. *Müller*: p. 11. The church at Hempstead was in a somewhat unsettled condition, and its historian says there are "no authentic accounts of a settled ministry in this town for a great number of years." *Prime*:

282. The Rev. Mr. Thomas, who was sent thither as a Missionary of the Society for the Propagation of the Gospel in Foreign parts in 1704, wrote home in 1709, "tho the Place had 'been settled above 60 years before his coming, 'and the People had some sort of dissenting 'Ministers; yet for above 55 years, the Sacrament had never been administered there; the 'oldest there could not remember to have seen 'or heard of its being celebrated." *Humphreys*: 223.

But whatever conclusion might be reached from all these circumstances taken by themselves—there can be no doubt whatever that at this time, in New York, he was selected and called as a dissenting clergyman—there being a full attendance of the Wardens and Vestrymen and the vote *namine contradicente*. Six of the ten vestrymen were of the board in the previous year (12 Feb. 1694) when they declared it to be their opinion that a Dissenting Minister should be called—and the wardens were both Dutch.

Whether this action of the Board was hastened or stimulated by the threats of prosecution from the Governor and Council, we cannot decide. But it was followed not long afterwards by further proceedings which show that the Church Wardens and Vestrymen were disposed to fortify their position and maintain their right to call a dissenting minister, in spite of such formidable opposition.

On the 12 April, 1695, A petition of the Church Wardens and Vestrymen for the City of New York was read in the Assembly, and upon consideration thereof, it was declared, that "it is 'the opinion of this House, that the Vestrymen 'and Church Wardens have power to call a dissenting Protestant Minister, and that he is to 'be paid and maintained according as the Act 'directs." On the 13th April, 1695, the Gov. called the attention of the Council to these proceedings. "His Excell did show the Council a 'Petition which was given in to the Assembly 'by the Church Wardens and the Resolution of 'the Assembly thereupon signed by the Speaker; 'which is: That by virtue of the Act for settling a Ministry, they have power to call a dissenting minister from the Church of England, 'and compell all persons to contribute towards 'his maintenance, pursuant to said Act." *Council Minutes*: 76. The Council were of opinion "that there is no good to be expected from this 'Assembly" and advised a prorogation. *Ibid.* The Governor was not slow to follow their advice,—and upon the prorogation which followed the same day, he said to the Representatives,

"Gentlemen,

"You have proceeded to give your opinion or 'interpretation of that Act of Assembly which 'provides for a Ministry in this city and two

"other Counties, upon a petition presented unto you, and you say, that the Church Wardens and Vestrymen may proceed, by that Act, to call a protestant minister dissenting from the Church of England and raise the money for his maintenance. Not to tell you that there is no Protestant Church admits of such officers as Church Wardens and Vestrymen but the Church of England. It is out of your province to take upon you to explain an Act which you did not make; the laws are to be interpreted by the Judges."

Smith says of the petition above mentioned that it was "a petition of *five* churchwardens and vestrymen" &c. p. 117. Upon what authority does not appear. This is not material as there can be no doubt that a large majority of the existing board were of the same opinion. Probably "five" was a error of the press for "the," as those who are familiar with the handwriting of the historian and the facility of error in proof reading will readily understand. Dr. Berrian copied the statement from Smith.

In 1695, one of the Long Island towns attempted to obtain legislative relief. A Bill for exempting Newtown, in Queen's County, "out of the Pains, Penalties, Forfeitures and Demands" in the Act of 1693, was presented, read a first time and ordered a second reading on the 3d of April, 1695. It was read a second time and committed on the next day. On the 5th, the report of the Committee, about the Minister of Newtown was brought in and read, approved and ordered to be engrossed with its Amendments. On the 9th, it was read the third time and passed, and ordered to be sent up to the Governor and Council for their assent. This however, it failed to receive—the session being somewhat sharply terminated a few days later.\*

## II.—JONATHAN EDWARDS, AND THE OCCASION AND RESULT OF HIS DISMISSION FROM NORTHAMPTON.

BY REV. E. H. GILLET, D.D.

A complete history of the controversy originating in the "Half-way Covenant" would include a large portion of the ecclesiastical history

of New England for a full century. In its connections, it would involve the relations of the State to the Church and the influences by which, directly or indirectly, "the Standing order" was superseded by perfect religious equality in the eye of the law.

One of the most interesting episodes of this history, and one which marks the culmination of the controversy, is that which grew out of the opposition to Jonathan Edwards by his people at Northampton. His predecessor in the pastorate, Solomon Stoddard, held that all who possessed an adequate knowledge of Scripture truth, and who were not scandalous in life, should, upon application, and without further inquiry, be admitted to the communion of the Church. These views he had carried out into practice, and the result was that the membership of the Northampton Church contained many who, in all probability, would not claim, in their own behalf, to have been truly converted. To this fact, Edwards might reasonably charge the loose and even wanton conduct of many of the young people of his congregation, who in the reaction which followed the great Revival, rushed into extremes of license which excited his apprehension. Fearless in announcing his convictions, and firm in maintaining his positions, his rebukes and other measures produced an exasperated state of feeling which resulted in arraying against him the majority of his congregation. They refused even to hear him defend his principles from the pulpit, and insisted upon his dismission.

In these circumstances, he wrote and published his memorable work entitled *An Humble Inquiry into the rules of the Word of God Concerning the Qualifications requisite to a Complete Standing and full Communion in the visible Christian Church*, (Aug. 11, 1749.) On his own people it produced but a feeble impression, for few were willing to read it. But as it was circulated abroad, it was very extensively regarded by competent judges as decisive of the question at issue. Something of the confidence with which it was subsequently appealed to, is attested by the language of Rev. Israel Holly (of Suffield) in his reply\* to Bartholomew of Harwinton, Ct, who had publicly advocated views substantially identical with those of Stoddard. He says, "I remember I have read of the famous 'Latymer, who when he was once a going to preach a sermon, read this text—*Take heed and beware of covetousness*—and then made a long pause, considering whether he had not best re-

\* There is an interesting reference to Newtown in the proposal of the Bishop of London to send Chaplains to New York, November 18, 1689. "It is humbly proposed to yo<sup>r</sup> Lordship that two Ministers of the Church of England be sent to New York in America with free passage thither and a competent allowance for the space of two years out of the Revenue of that place and instructions given to his Ma<sup>ties</sup> governour to settle a sufficient number of acres (as a Glebe) not yet disposed of in the parishes where they are to officiate. Newtown in Long Island and a parish in Sopus having earnestly desired to have Ministers sent them. An ingenious schoolmaster in the City of New York is of great use and importance." P. R. O. AM. & WEST INDIES.

\* A Letter to the Rev. Mr. Bartholomew of Harwinton, containing a few remarks upon some of his Arguments and Divinity, which he has lately published to the world in a pamphlet entitled "A Dissertation on the qualifications necessary to the lawful profession and enjoyment of special ordinances &c. By Israel Holly. 12mo. pp. 32. Hartford, 1770."



"peat his text an hour or two, *Take heed, &c.*; *"Take heed, &c.*—or whether he could say any—*"thing more needful or beneficial to his audience.* So I think sir, if I was to engage with *"you in this controversy, I would say, Read Edwards.* And if you wrote again, I would tell *"you, Read Edwards, and if you wrote again, I would say Read Edwards.* For I think it need—*less for any man to write after him, and fruit-*less for any man to write against him upon *"this subject. Nor do I think any man need* blush to say that Mr. Edwards has sufficiently *"answered all that ever has been, and ever will* be, wrote on the opposite side."

Answers were indeed attempted—one by Solomon Williams of Lebanon, Ct., and the other by Jonathan Ashley of Deerfield, each of whom was a first cousin of Edwards. The last of these was a sermon preached in the pulpit of Northampton after Edwards's dismissal, and doubtless published at the instance of Edwards's bitter opponents at Northampton. But the great theologian did not deign even to take any notice of it, or honor it with a special refutation. In Bellamy's Correspondence it is mentioned naturally in terms of contempt. But the necessity of a reply was already superseded by the crushing rejoinder of Edwards's *Misrepresentations corrected and truth vindicated, in a Reply to the Rev. Solomon Williams's Book, entitled "The True State of the Question concerning the Qualifications necessary to lawful communion in the Christian Sacraments."*\*

But before the controversy had reached this stage, Edwards had been dismissed from his pastorate at Northampton. Shortly after he had published his *Humble Inquiry &c.*, a Council of advice composed of the Pastors and Delegates of the neighboring churches was called, but had no influence to restore peace. Edwards determined to set forth his views in a series of public lectures, but only a few of the people could be induced to attend, and more than half his congregation was composed of strangers from the neighboring towns.

In the winter of 1749-50 the people had become impatient and were resolved upon decisive measures. Edwards objected to their haste, observing that "it was exceedingly unbecoming to manage religious affairs of the greatest importance in a ferment and tumult." But they were in no mood for objections. It was agreed that a mutual Council should be called—but a practical difficulty arose with the question as to how it

should be composed, the Church insisting that the choice of members should be confined to the ministers and Churches of the County. Edwards thought this an unreasonable demand, for the influence of Stoddard and his writings, and the progress of the controversy had arrayed nearly all who would thus compose the body in opposition to him. For these and other reasons which he offered, he insisted upon going out of the County for those members of the Council which he was to choose. But the people of Northampton met this claim with a strenuous and obstinate resistance. At length they agreed to leave the matter to a Council composed of the Ministers and Delegates of the five neighboring Churches. The Council thus composed however, were equally divided, and after having twice met, were unable to agree, and left the matter undetermined. They could not unite upon any advice to be offered for the reconciliation of the alienation that had taken place.

On one point however they were clear. The Pastor of the Northampton Church was entitled to go out of the County for some of the members of the Council. On March 26, 1750, Edwards offered to join the Church in calling a Council provided that he might name two of the Churches out of the County, and that the Council should consist of but ten Churches. For more than a month, the people refused to accept these terms, but at length, on May 3d, they voted compliance.

The Council thus provided for met on June 19th. Edwards nominated—out of the County—the Churches of Sutton and Reading, the former under the pastorate of David Hall, and the last under that of William Hobby. Three of the Ministers named by Edwards from the Churches within the County were in sympathy with him. One of these was Edward Billing from the Church of Belchertown, (then known as Cold Spring). Another may have been Thomas Strong of New Marlborough, whose ordination Sermon Edwards speaks of having preached, and who was a native of Northampton, and consequently for some years at least a member of Edwards's congregation.\* Who the fifth was is somewhat uncertain. It may have been John Woodbridge of South Hadley, (1732-70) or Jonathan Judd (1741-1803) of Southampton, or possibly Edwards's devoted and admiring friend, Samuel Hopkins of Great Barrington.†

The five Pastors of the Churches called by the people of Northampton were Robert Breck of Springfield, who had, as an Arminian, the repute

\* On the margin of the title page of my copy of Williams's book—an 8vo in 4to form of 144 pages—is written "R. Breck's Book. From the people of Northampton," thus confirming the statement of Edwards's biographer that the people of Northampton "published Mr. Williams's pamphlet at their own expense, and distributed it to every family in the town." Breck was pastor at Springfield.

\* He married his wife at Stockbridge, and probably was in sympathy theologically with Sergeant then a missionary there.

† Great Barrington was then within the limits of the County. Berkshire County was not set off till some years later. The distance of Great Barrington—some sixty miles—renders it improbable that Hopkins was on the Council.

of being a strong opponent of Edwards, with whom in days past he had had many a controversial passage at arms; Jonathan Ashley of Greenfield, a cousin of Edwards, who describes him as "a young gentleman of liberal education and notable abilities, a fluent speaker, my 'Grandfather Stoddard's Grandson, being my 'Mother's Sister's Son, a man of lax principles 'in religion, falling in, in some essential things, 'with the Arminians, and is very bold and open 'in it;" Chester Williams of Hadley, who was also Scribe of the Council; and two others who must have been selected from the list of John Ballantine (1748-76) of Westfield, Timothy Woodbridge (1732-70) of Hatfield, Stephen Williams (1716-82) of Longmeadow, Samuel Hopkins (1720-55) of Springfield, James Bridgham (1736-66) of Brierfield, Joseph Ashley (1747-84) of Sunderland, or Strong and Judd already mentioned.

It is rarely that a Council has been convened in which the lines of opposition have been more clearly or firmly drawn. The Pastor and the people of Northampton were distinctly represented in the two opposing parties. Hall of Sutton was in strong sympathy with Edwards; and only seven years before, in the time of the great Revival, nearly one hundred members had been added to his Church in the course of a twelve-month. Hobby had published a defence of the course of Whitefield from the public attacks which had been made against it; and he now stood ready in case the Council went against Edwards, to protest against its action and publicly vindicate his protest. Billing was in a position as analogous as possible to that of Edwards himself, except that his case was not yet ripe for the action of a Council.

The Church was represented before the Council, or rather its interests were managed, by the ablest lawyer in Western Massachusetts, although his public career had but just commenced. This was Joseph Hawley of Northampton, a man whom John and Samuel Adams respected as their intellectual peer. At this time he was only twenty-six years of age, and yet he was the leading spirit in opposition to Edwards, and drew up most of the documents in behalf of the Church. In later years, when he had acquired the wisdom to discern his errors, and the Christian manliness to confess them, he did not hesitate to speak of the fidelity, ability, and heroic truthfulness of Edwards in terms of high eulogy, or to confess his own "peremptory, vehement and immodest manner" in "persecuting that 'just man."

The Council, upon their assembling, was met by the demand from the Church for the immediate dismissal of Edwards. Ashley was very strenuous in urging its necessity. Edwards, who

was well aware of the state of popular feeling, and knew that the great majority of the Church were inflexibly resolved that he should leave them, informed the Council that he would not enter into the dispute, but refer the whole matter to their judgment. He had no desire, he said, to leave his people, on any other consideration than their aversion to his continuance among them as their Minister; but if this disposition was to remain unchanged, he had no inclination or desire that they should be compelled. He would simply refer himself to the advice of the Council. The Church were then heard, and it was found that the great majority of the two hundred and thirty male members of the Church favored Edward's dismissal, while only twenty-three opposed it, the remainder declining to appear or act on either side.

After three days' discussion, the vote of the Council was taken, June 22<sup>nd</sup> 1750. All the members who represented the Churches named by Edwards were unitedly opposed to his immediate dismissal. All those representing the Churches named by the Church of Northampton favored it. But the party of Edwards in the Council was in a minority of one. The Church of Belchertown (Cold Spring) notwithstanding the strong sympathy of their Pastor, Mr. Billing, with Edwards, refused to send a delegate, and left the party which he represented numerically inferior to the other. The result was that the Council, by a majority of one, dissolved the pastoral relation. The minority opposed to this their protest which was soon after printed in Boston, and which was publicly defended by Rev. Mr. Hobby.

To the decision of the Council Edwards offered no opposition. He at once sat down to prepare his farewell Sermon; and if his other writings declare the superiority of his intellect this reveals his magnanimity of soul. He spoke in the tone of one who held his position far aloft, above the atmosphere of party strife, where he could look down upon the scene with the calm impartiality of one who occupied the post not of party but of Judge. He had sacrificed all his worldly prospects to the conviction of duty. The future, so far as this world was concerned, was all dark before him. He had hitherto received the largest salary of any country Pastor in New England; and dependent almost entirely upon that for the support of his large family, he was now left to seek his support with no prospect at least of any immediate settlement. Nearly all the neighboring Churches were opposed to his principles. His age, moreover, was against him; and yet he felt that he had no other sphere than what was to be found in the pulpit and the pen; yet there is a dignified tone, as well as a grave pathos in his letter to Erskine. "Most places in



"New England that want a Minister, would not be forward to invite one with so chargeable family, nor one so far advanced in years—being forty-six the fifth day of last October. I am fitted for no other business but study. I should make a poor hand at getting a living by any secular employment. We are in the hands of God, and I bless Him, I am not anxious concerning his disposal of us, I hope I shall not distrust Him, nor be unwilling to submit to his will."

With no call to settle elsewhere, Edwards remained on his farm at Northampton. Something of a reaction of feeling seems to have taken place among a portion of his people after his dismissal, such at least as to lead some to hope that enough might adhere to him to warrant the organization of a new Church of which he should be the Pastor. A Council was called to consider this project. It was met with a Remonstrance on the part of the Church against the expediency of the re-settlement of Edwards over a portion of the body. Not content with argument, the authors of the document, according to Mr. Hawley,\* who doubtless had a leading hand in its production, "every where interlarded (it) with unchristian bitterness, sarcastical and unmannerly insinuations." "It contains divers direct, grievous and criminal charges and allegations against Mr. Edwards, which . . . were really gross slanders." The whole of the composition was "a scandalous, abusive injurious libel against Mr. Edwards and his particular friends." Nor was this all. The Church refused to appear before the Council to support their charges, although their presentation of the Remonstrance had been a virtual recognition of its authority. It was doubtless in view of the state of popular exasperation, so bitter that the Church was resolved, while without a Pastor in place of Edwards, not to allow him to enter the pulpit even as a supply, that the Council decided against the expediency of Edwards's re-settlement at Northampton. In this decision, we can well believe, he more than acquiesced.

It might now seem that the seal of reprobation had been finally, as it had been signally, affixed to the peculiar views of Edwards. But reason, if not louder, was in the end stronger than passion. Edwards's Treatise on "*Qualifications &c*" was seed sown broadcast, and all his persecutions had simply harrowed it in. Nor was this all. A strange Providence was at work, to place him in a sphere where he might perform more important labors than any which he could hope to accomplish in his pastorate at Northampton. Two weeks before the Council that dismissed him met, John Sergeant, missionary among the

Stockbridge Indians, sickened and died. Samuel Hopkins of Great Barrington was urged to accept the vacant post. He declined it, but in the hope that Edwards might be induced to accept it and become his neighbor. His plan succeeded; and on the banks of the Housatonic, in sight of Monument mountain, Edwards found leisure, amid his missionary labors, to compose the great work on the Freedom of the Will, which for all after time has coupled his name with those of the profoundest metaphysicians of the world.

Nor was this all. The leading instruments in the expulsion of Edwards from Northampton had reason bitterly to lament their folly. Joseph Hawley, within two years after he had triumphed as the leader of the party opposed to Edwards, began to perceive his error, and a few years later, with a rare manliness that does more honor to his memory than all his noble services as the compeer of Samuel Adams in the cause of freedom in his native State, wrote and published a recantation of his mistakes and a penitential acknowledgement of his faults, which is embodied in the record of Edwards's life.

Jonathan Ashley, the "young gentleman of liberal education and notable abilities," the "fluent speaker," and Pastor at Deerfield, who exulted over Edwards's dismissal by holding up his views to rebuke in the pulpit which Edwards could no longer enter, found that his course had brought trouble within the bounds of his own congregation. The people of Belchertown were dissatisfied with their Pastor, Mr. Billing; and in sympathy with those at Northampton, prepared to imitate their example in dismissing their Pastor. His firm support of Edwards, as well as adherence to his views, had rendered him unpopular; and in April 1752, he was dismissed from his charge,

But Mr. Ashley at Deerfield had not succeeded in convincing all of his congregation of the correctness of his own views. Some of them were in sympathy with Edwards; and at this very juncture, the portion of his congregation which was finally set off to form the town of Greenfield, saw fit to renew an application which they had made fourteen years before to be made a separate parish. Meanwhile Mr. Billing was at leisure to supply them with preaching on the Sabbath. At their invitation he almost immediately commenced his labors; and on September 24, 1753, "after taking the advice of several Ministers with respect to the fitness of Mr. Edward Billings for the work of the ministry in Greenfield, the Town voted to give him a call." That call was accepted; and Mr. Ashley was compelled to witness, in spite of all his persuasions and remonstrances, the success of a project which must have materially reduced the resources and strength of his congregation, and given him for

\* Joseph Hawley, like Solomon Williams and Jonathan Ashley, was a first cousin of Edwards.

his nearest neighbor one who held all the obnoxious principles of the Northampton Pastor.

The discourse in which he attempted to dissuade his people from leaving him, is important as defining the position which he took in opposition to Edwards, and as confirming the accuracy of Edwards's statements on the nature of the reports which were circulated to injure his character and influence. "Crafty designing men," so he wrote to Gillespie in Scotland, "have abundantly filled the ears of the more ignorant with suggestions that my opinion tends to overthrow all religion, and to ruin the present and future generations, and to make all heathens, shutting them out of the Church of Christ."

At the time when Ashley's discourse was delivered, the first steps had already been taken to secure the services of Mr. Billing for the Greenfield congregation. Those who composed this body had doubtless other reasons than sympathy with the views of Edwards, for wishing to be disjoined from the Parish of Deerfield. But to these the discourse makes no reference. After discussing the relation of members to the Church under the figure of the grafts to the olive tree, Mr. Ashley remarks,

"If these things are so y<sup>t</sup> the olive tree is a ch<sup>h</sup> state or covenant relation, and that all baptized persons are ch<sup>h</sup> members, or branches of this olive tree

"Then let me intreat you who are about to constitute a ch<sup>h</sup> upon quite different principles, to consider seriously what you are about to do.

"You are about to break off some of the branches which by baptism are grafted into the olive tree & not suffer them to partake of its root & fulness. Some of the branches are to be treated as heathens, and left in such a state.

"And let me tell you if you will act up to y<sup>e</sup> principles you profess you can expect no other but the greater part of the branches will be broken off and denied the privileges of ch<sup>h</sup> members.

"Is it not enow to move your concern and pity when you think these under branches are to be rejected & left to wither & perish away, your sons & daughters live & grow up like heathens without the bonds of religion & left to live in sin as they please.

"Surely you cant be so unnatural as to have no thot & concern for those who came out of your own bowels & are part of yourselves—and can you think of it without concern y<sup>t</sup> y<sup>s</sup> shall be, the greater part of you in a little time heathens.

"Perhaps you will tell me there is no danger of this, I assure you you can expect no other upon the principles you have embraced—yea, you already see the effects of these principles.

"Such as fall into the Sin of fornication, or or any other gross Sin, neglect to humble themselves—lie under guilt—dishonor God & these principles keep them in such a state—others neglect to give up their children to Baptism.

"& let me tell you it is not even y<sup>t</sup> any of you have had a hope y<sup>t</sup> you have had faith, but you must upon your principles have it in exercise when you bring a child to baptism or come to the Lord's table. For you are not to live on old acts of faith—and if you doubt of your having faith yourselves, you must not bring your children to Baptism.

"I intreat you to think seriously of these things & whether those of you who are about to declare yourselves regenerate and to exclude all others who have not boldness enow to do it from your communion, whether you dont too much resemble those Is. 65, 5,—and dont you boast against your fellow branches.

"You have censured me y<sup>t</sup> I have not publicly addressed; I have now done it; whether you will hear or whether you will forbear I know not, but I shall have this satisfaction y<sup>t</sup> I have forewarned you and have delivered my own soul.

"Whether ever I shall have opportunity to address you as a part of my charge again I know not.

"I therefore tell you, however you may think I am your enemy for telling you the truth that I have no small conflict for you and am not a little concerned for your welfare—nor am I a little distressed when I see how some of my Brethren are to be treated by you—denied the privileges of the ch<sup>h</sup> among you—whose souls need the means of grace as well as you, however you may be willing others should be so treated yet I am well assured your own children are so dear to some of you that you cannot bear it when it comes to your own case.

"One thing I request of you which is that you could understand the principles you are about to bind yourselves to—this I am sure you dont at present—scarce any two of you understand them alike.

"Some suppose that it will never be required of such as come to special ordinances to make any declaration y<sup>t</sup> Implies their being converted or regenerate—others suppose they will.

"Let me tell you when he whom you have invited to be your Pastor was dismissed from his late charge—it was put to him whether he could not admit persons to the ordinances who expressed it y<sup>t</sup> duty to come altho y<sup>s</sup> dare not profess themselves regenerate, he said he could not, and he had rather beg his bread than do it,—& if he did he could expect no other but God would leave him in darkness all his days.

"Now Suppose him to be allways Conscien-



"ticus & act up to his principles, Judge you whether you must not profess yourselves regenerate—

"Which leads me also to request one thing of you Sir who are seeking the charge of this people, & this is to deal plainly & truly with them & let them know your principles which I am sure they do not, and as they are a part of my charge & I am bound to be concerned for them I request it of you y<sup>t</sup> you would satisfy them in the following particulars.

"1<sup>st</sup> are not all baptized persons y<sup>t</sup> are not excommunicated in the ch<sup>h</sup>.

"3<sup>dly</sup> do you hold that it is lawful for any person who judges himself in a state of nature either to come to the Lord's Table or bring his children to Baptism.

"3<sup>dly</sup> will you allow any person to come to special ordinances without making a profession which does imply his being regenerate if he speaks true, or in other words if a person whose life is free from scandal shall tell you he thinks it his duty to attend the Lord's Supper as a converting ordinance but he does not look upon himself regenerate nor dare he profess anything with respect to his regeneration—will you admit such a person without making any profession that implies regeneration.

"4<sup>thly</sup> what do you esteem to be the duty of a person in the ch<sup>h</sup> who believes himself to be in a state of nature—is it his duty to come to the Lord's Table or absent himself—I entreat you to think of these things and let me know and this people who are under my charge your sentiment on these things y<sup>t</sup> you may not be deceived in matters of great importance to y<sup>r</sup> Souls."\*

The scene which must have been presented on the occasion of the delivery of this address must have been such as even a novelist would allow to be sensational. It would appear that the Greenfield people, toward the close of the year 1752, or the commencement of 1753,† had matured their plans and invited Mr. Billing to become their Minister, or at least to preach for them—that he had arrived upon the ground—that on this last occasion (probably) before the secession of the congregation took place, the Greenfield people, together with Mr. Billing himself, were present at Deerfield, worshipping with Mr. Ashley's people, and that he took adroit advantage of this occasion to throw the apple of discord among the seceders, or alienate

them from the man whom they designed to call as their Minister. It was a bold experiment, but in keeping with the character of Mr. Ashley. His effort however was futile. The Greenfield people adhered to Mr. Billing, and withdrew from Mr. Ashley's congregation. He was compelled to see the man whom he, above others doubtless, had been instrumental in unsettling at Belchertown, through his influence and arguments at Northampton, the leader of an important secession from his own Parish.

It was thus that the principles of Edwards made progress even where they were most opposed. His *Treatise*, and his expulsion from Northampton made them understood throughout New England; and the half century which followed merely settled the local details of a victory already won. One by one, the Churches, either by formal vote, or by the silent influence of their Pastors and of a changing public opinion, came into the scheme of Edwards, until it seemed scarcely credible that such views as those which were held by his opponents could have had such a strong hold on a large portion of the New England Churches.

### III.—THE EARLY METHODISTS AND THE AMERICAN REVOLUTION.

#### REPLY TO THE EDITORS OF *The Methodist*.

*The Methodist* of the thirtieth of March, the fifteenth of April and the twenty-seventh of April, contained a series of papers in answer to our article on this subject, printed in the December number of THE HISTORICAL MAGAZINE; and as we have copied the articles referred to in our last number we propose to offer a few words in reply.

The question involved is one concerning the History of Early Methodism, and whether or not the several statements contained in our original article on that subject were true. It is one concerning *facts* rather than *opinions*; and it is to be decided by the weight and character of the evidence adduced on either side, rather than by the "note" of the witness before the world or his standing in society or in the Church. If, therefore, we can produce *better* evidence to support, than *The Methodist* has produced to controvert, our original statements, it matters not if our "value" or "note" is below the Methodist standard, since our fidelity as a Historical writer will not suffer; and the world of letters and the common sense of the world at large will declare, in that case, that while *The Methodist* may or may not be the superior authority on questions of mere *opinion*, on matters of History

\* The address given above was copied from a leaflet among Mr. Ashley's manuscripts, and the handwriting is indisputably his. The first portion of the discourse is wanting.

† It was on April 2nd 1753 that the town of Deerfield voted for a Committee to consider and determine the dividing line between that Town and the proposed district on the North side of Deerfield River. The charter of Greenfield was dated June 9, 1753.

which are matters of solid *facts*, THE HISTORICAL MAGAZINE, whether of a "little note" or the contrary, is the peer of its neighbor, in every respect.

If our original narrative was false, as *The Methodist* has repeatedly stated, the emphatic denials and counter-statements which it has made in its answer, are true; and "the late 'centennial' interest of Methodism," to which it has referred, instead of affecting the subject disadvantageously, will have afforded a wider field for the dissemination of the Truth, as it will have been thus established by our opponent, before many witnesses. It seems to us, therefore, aside from the standards of the Church and the teachings of the Bible, that, in that case, magnanimity to a discomfited opponent who has been considered worthy of so much of *The Methodist's* space and attention, should have prompted the latter to tell the whole truth, rather than a part of it; and by avoiding, on its part, a *suppressio veri*, while it exposed his infidelity to the Truth, it would have given evidence to the world of its own good title to respectability. When *The Methodist* concealed the fact that the article in question was one of a series of articles on the early History of Methodism, which had appeared in THE HISTORICAL MAGAZINE, month after month, successively, and insinuated that it was merely a special article, written for a special occasion, "for the purpose, probably, of attracting attention to his [our] publication," it "probably" fulfilled its mission as a religious weekly, as that mission is understood by its conductors; but we trust we shall be pardoned if we intimate, as we do most decidedly, that our idea of the mission of such a sheet is entirely different.

So also, when *The Methodist* spoke of the "decisive evidence of Wesley's early change of opinion in favor of the Colonists," and told the world that we "must have read" it in Doctor Stevens's *History of Methodism*, although it knew THERE WAS NO SUCH EVIDENCE THERE, it supposed, we have no doubt, that it was acting as became a Methodist journal, engaged with a contemporary older than itself, in discussing a purely historical subject; but we hope that it will pardon us again if, in this instance, also, we differ from it; nor will that pardon be less readily bestowed when we shall remind it that Mr. Wesley's own testimony to the contrary, adduced by us from the archives of the "Society" in John street, as published by its Pastor in August, 1780, and republished in THE HISTORICAL MAGAZINE for December, 1866, was in its possession when it made this reckless averment, and was entirely disregarded.

There are several other instances, in the three articles referred to, in which *The Methodist* has zeal-

ously suppressed the truth, as if its readers could not be safely entrusted with the original evidence in the case, nor even know of its existence; and it will pardon us, we hope, if we differ from it again, as we do, while we protest, in their behalf, that that evidence is far preferable, as a guide for the judgment of those readers than its own unsupported word on the subject can be.

We are not one of those who consider the laity as necessarily incapable of judging, from the evidence, for itself, concerning simple matters of fact: that we differ from *The Methodist* in this instance arises, probably, from the fact that we are a layman and not a Methodist, while it is the organ of Methodists who are, also, clergymen.

We believe that History is written properly only when it is written truly, and when it carries with it, openly, for the instruction of the judgment of those who shall read it, the best evidence of its truthfulness: that we differ from *The Methodist* in this respect is accounted for in the fact that we have no foregone theory to sustain and no ancestral nor denominational reputation to bolster up with fictitious patriotism or questionable Christianity. We believe that when History has been thus correctly written and thus supported with the best original authorities on the subject, those who controvert it are less unfriendly to its author than to his authorities; and that the writer of the narrative, who faithfully repeats what he has learned from others who were most capable of imparting the information on which he writes, suffers less at the hands of a doubting disputant than do those on whose information he wrote his narrative: that we differ from *The Methodist* in this respect originated in the fact that we had seen no reason for discrediting John Wesley and Richard Boardman, "the old book" in John street and the *Minutes of the Conferences*, J. B. Wakeley and Lorenzo Sabine, on matters of fact, concerning the Toryism of the Early Methodists, even for the purpose of accrediting Abel Stevens, LL.D., with an importance as an Historian, to which he was not in the least degree entitled.

We believe that those who, while discussing Historical subjects, shall conceal known facts which illustrate those subjects, and advance unfounded insinuations which shall be calculated to mislead their readers thereon, are cowardly partizans and falsifiers, and unworthy of credit: that we differ from *The Methodist* in this respect arises, probably, from the fact that its conductors control a wide-spread, popular, and influential sectarian periodical, whose prospects might be injured by a bold and manly declaration of the naked Truth concerning the History of its Denomination; while THE HISTORICAL MAGAZINE, without any party or sect at its back, is



devoted to unadorned *History*, and although "of some value," is of "little note."

The averments which *The Methodist* has disposed of on its own authority, in the articles to which this is an answer, are these:

I. "Every Methodist of that period," [*during the American Revolution*] "whether in Europe or America, was necessarily an *Episcopalian*, one of whose leading tenets was that George III., King of Great Britain, was his supreme ecclesiastical head on earth."

On this subject we wrote, and *The Methodist* made no mention of, the following:

"We have before us a copy of the *Minutes of some Conversations between the Preachers in connection with Rev. John Wesley, Philadelphia, June, 1773*—the first General Conference in America—during which the following Rules were agreed to by all the Preachers present:

"1. Every preacher who acts in connection with Mr. Wesley and the brethren who labour in America, is strictly to AVOID ADMINISTERING THE ORDINANCES OF BAPTISM AND THE LORD'S SUPPER.

"2. All the People among whom we labour to be EARNESTLY EXHORTED TO ATTEND THE CHURCH, AND TO RECEIVE THE ORDINANCES THERE; but in a particular manner to press the people in Maryland and Virginia, to the observance of this minute.

"3. No person or persons to be admitted to our love feast, oftener than twice or thrice, unless they become members; and none to be admitted to the *Society* meeting more than thrice."

"The 'RULES' thus 'agreed to by all the 'Preachers present,' in the General Conference, in 1773, were unquestionably respected by the Methodists throughout the several Colonies;—even the War which, soon after, broke down all the sympathies of the great body of the inhabitants for everything that was English, could not eradicate the fidelity of the Methodists to the Established Church of England, as required by the 'RULES' which we have quoted. To prove this, we cite the following facts:

"In the General Conference, held in Kent County, Delaware, on the twenty-eighth of April, 1779, the tenth question asked, and the answer thereto of the Conference, were as follows:

"*Ques. 10. SHALL WE GUARD AGAINST A SEPARATION FROM THE CHURCH, DIRECTLY OR INDIRECTLY?*

"*Ans. BY ALL MEANS.*"

"Again: In the General Conference, held at Baltimore, on the twenty-fourth of April, 1780, the subject was renewed, and similarly determined. The following is the official record of that action:

"*Ques. 12. SHALL WE CONTINUE IN CLOSE COMMUNION WITH THE CHURCH, AND PRESS OUR PEOPLE TO A CLOSER COMMUNION WITH HER?*

"*Ans. Yes.*

"*Ques. 13. Will this Conference grant the privilege to all the friendly Clergy of the Church of England, at the request or desire of the people, to preach or administer the ordinances in our Preaching-houses or Chapels?*

"*Ans. Yes.*"

"What was meant by 'the Church,' among those who, like this Conference, favored 'the Establishment,' at the dates referred to, needs little illustration—it referred to 'the Church' of England, as established by Law, in Virginia, etc.

"It will be seen from this authoritative testimony that the Methodists of 1766-85 were only a 'Society' within 'the Church': Mr. Wesley's letter 'To Dr. Coke, Mr. Asbury, and our Brethren in North America,' dated 'Bristol, September 10th. 1784,' shows that, at that date, even, none of his preachers had been ordained—Francis Asbury was not even Deacon, before 1785, as will be seen in Section IV. of the *Form of Discipline*, Edit. N. Y. 1789.

"No one will pretend that an unofficial member of any 'Society' can administer a Sacrament: Mr. Wesley's own *Sunday service of the Methodists*—the 'Methodist Prayer Book'—(Edit. London, 1786, pp. 287, 288,) in the Ordination service of Deacons, thus tells us what a Deacon might do:

\* \* \* \* \*

"It will be seen that even Francis Asbury, prior to 1785, was disqualified for the administration of an ordinance; but it was equally certain that, prior to that date, there was not a Methodist Church in the country, to which such Ordinances were necessary; neither was there a Methodist Pastor. All this is evident from the *Minutes of some Conversations between the Ministers and Preachers of the Methodist Episcopal Church, at a General Conference held at Baltimore, January, 1785*, and the first perfected *Form of Discipline*, Section IV.; and it seems proper to remind some of our friends that, prior to 1785, Methodists were necessarily *Episcopalians* of the British Established Church; that those who taught them were simply 'Preachers'; that their church edifices were simply 'Preaching-houses'; that even Francis Asbury was, subsequently, made successively a Deacon, Elder, and Bishop; and that not before January, 1785, was there a Methodist Church, as such, in America, nor a Methodist Pastor."

To this averment, thus sustained, *The Methodist* made no attempt at reply, in either of its ar-

ticles; and we have a right to treat it as one which has been conceded by our opponent, with all its necessary consequences.

We have a right, in view of its silence on the subject, to consider *The Methodist* as conceding the truth of the averment, thus sustained, that "every Methodist of that period was necessarily *"an Episcopalian,"* and as necessary a daily suppliant for a bestowal of the Divine favor on George III., his Parliaments, his Armies, and his Fleets, as were Doctors Seabury and Inglis, Chandler and Wilkins, and all other Episcopals of the period; and we have a right, also, in view of the same silence, to treat our opponent as conceding the claim, thus sustained, that it was not until the Conference of January, 1785, that George III. ceased, in law, to be the Supreme head, in ecclesiastical affairs, of every Methodist "Society" in America; and that, until that time, the Canons, and Liturgy, and Common Prayer promulgated by his authority were their Supreme law.

We say we have a right to thus take judgment against *The Methodist*, by default, although we are not disposed to do so—preferring rather to strengthen the evidence which this uncontradicted testimony affords concerning the Toryism of the Early Methodists, by the introduction of other testimony to prove the unequivocal Loyalty to the King, his Sovereign, of him on whom every Methodist leaned for support, at the period referred to; and thus to show that not only in its streamlets but at its very source, METHODISM WAS TORYISM. This brings us to our second proposition:

II. "Mr. Wesley made no attempt to conceal his repugnance to the earlier disloyalty of the Colonists; and when" [*in the latter days of the War*] "he was attacked by some of his countrymen who differed from him, his fellow Methodists" [*in this country*] "hastened to his relief, without the least hesitation."

In confirmation of this averment we referred, in our original article, to the tract—condensed from Doctor Johnson's Ministerial production, *Taxation no Tyranny*—which Mr. Wesley wrote and published in 1775, with the title of *A Calm Address to our American Colonists*; and from the latter we adduced the following as the opinion of the founder of Methodism, in the earlier days of the War, concerning the demands of the Americans for a redress of their grievances:

"These good men [*the republicans in England*] hope it will end, in the total defection of North America from England. \* \* \*

"But, my brethren, would this be any advantage to you? Can you hope for a more desirable form of Government, either in England or America, than that which you now enjoy? After all the vehement cry for liberty, what

"more liberty can you have? What more religious liberty can you desire, than that which you enjoy already? May not every one among you worship God according to his own conscience? What civil liberty can you desire, which you are not already possessed of? Do not you sit without restraint, every man under his own vine? Do you not, every one, high or low, enjoy the fruit of your labor? This is real, rational liberty, such as is enjoyed by Englishmen alone; and not by any other people in the habitable world.

"Would the being independent of England make you more free? Far, very far, from it. It would hardly be possible for you to steer clear, between anarchy and tyranny. But suppose, after numberless dangers and mischiefs, you should settle into one or more Republics: would a republican government give you more liberty, either religious or civil? By no means. No governments under heaven are so despotic as the Republican: no subjects are governed in so arbitrary a manner, as those of a Commonwealth. If any one doubt of this, let him look at the subjects of Venice, of Genoa, or even of Holland." (pp. 14-16.)

"That they contend for 'the cause of liberty' is another mistaken supposition. What liberty do you want, either civil or religious? You had the very same liberty we have in England. I say, you had; but you have thrown away the substance, and retain only the shadow. You have no liberty, civil or religious, now, but what the Congress pleases to allow." (pp. 19, 20.)

"Ten times over, in different words, you profess yourselves to be contending for liberty. But it is a vain, empty profession; unless you mean by that threadbare word, a liberty from obeying your rightful sovereign, and from keeping the fundamental laws of your country. And this undoubtedly it is, which the confederated Colonies are now contending for." (p. 23.)

The *Taxation no Tyranny* was probably written at the instance and under the patronage of the Royal Government—it certainly was one of the most obnoxious to the Americans, of the many Tory pamphlets of that period—yet Mr. Wesley selected that from which to take his *Address to the Colonists*, in behalf of the Monarchy, and the Parliament, and the Church; and so well did he perform his labor that even Doctor Johnson, who was seldom civil to any body, "not only approved Wesley's use of it, but felt honored by it," as every other Tory would have been, by the co-operation of a volunteer from any quarter, in the service of the King.

To this direct evidence of Mr. Wesley's Toryism in 1775, *The Methodist* cannot offer either a



denial or an excuse: it contents itself, therefore, with telling its readers that we *lied*, "completely lied": and that we "knew Mr. Wesley changed "his opinion," on the subject referred to, when "we referred to it, "without intimating his" [Wesley's] "subsequent change of opinion and "vindication of the Colonial cause"; and with other similar remarks which no one but a clergyman would ever have had the face to employ.

We say, plainly, that WE NEVER KNEW AND DO NOT NOW KNOW, that Mr. Wesley ever ceased to be Loyal to the King of Great Britain, in the broadest sense of the term; and that WE NEVER KNEW AND DO NOT NOW KNOW that he ever entertained the least sympathy for the American Revolutionists or their cause, or ever, even by implication, "vindicated the Colonial cause." We say, also, just as plainly, that neither Doctor Stevens nor *The Methodist*, nor both combined, EVER KNEW OR NOW KNOW any such thing of Mr. Wesley; and that neither the historian of Methodism nor its exponents in newspaper form, can produce any *authentic* testimony to establish such an averment as *The Methodist* has thus put forth. Mr. Wesley was a well-known seeker for Governmental favor, a sycophant of those in authority; and, as Doctor Stevens and *The Methodist* both know, his faith is manifested in his Works, wherein the individuality of man was never recognized in his disciples, and their mission to do any thing but obey his mandates was never considered worthy of his notice. Nor need Doctor Stevens and *The Methodist* go very far to witness, personally, to-day, the entire absence of all sympathy, in Mr. Wesley and his followers, for every semblance of Republicanism, and his and their entire affinity for every thing that was Despotic. The "Societies" which he founded in America, even after eighty years of association with avowed Republicans, are, or were until very recently, controlled with as little regard to the individual manhood of their members as are the Greek Churches under the Czar, in Russia; and the Laity, until very recently, if at all, were never represented in the denominational "Conferences," wherein all questions of Faith and Discipline are determined, and were never considered of any temporal importance, except as subjects of a *self-imposed* Clergy and as blind supporters of *The Christian Advocate and Journal*.

When either Doctor Stevens or *The Methodist* shall see fit to produce "undoubted" *contemporary* evidence of our infidelity to the truth of History, concerning Mr. Wesley and what he considered to be the "Rebels" in America, we shall take the earliest opportunity to withdraw our accusations and acknowledge our errors in the most ample form: in the meanwhile, both the one, and the other will pardon us if we prefer

to remain subject to their joint and several disapprobation rather than to purchase their goodwill at the expense of every thing that is requisite in a reliable Historian. But we have not yet done with Mr. Wesley.

In the summer of 1780, five years after he published his *Calm Address*, a report was published in one of the New York newspapers affecting "Mr. Wesley's want of faithful attachment to the King and Constitution," "when his "Assistant preacher in that city" promptly produced a *ready-made* voucher for the loyalty of his chief, and stifled the rumor as soon as it was born—a movement which was subsequently confirmed by a second letter from Mr. Wesley and another, supporting it, from Richard Boardman, who was personally known to nearly all the Methodists in New York. The following is a copy of the record of this affair, from the originals in the Library of the New York Historical Society:

## I.

## [THE REPORT CONCERNING MR. WESLEY.]

From *The Royal Gazette*, 408, New-York, Saturday, August 26, 1780.]

"LONDON, June 7. The mob have continued "all last night with a degree of violence unknown "for this century past. Many houses are pulled "down, and the fine new building of Newgate "they have reduced to ashes. The Dissenters, "and Wesley, at the head of the Methodists are, "as I observed before, blowing up the flame."

## II.

[THE DEFENCE OF MR. WESLEY, BY HIS ASSISTANT IN NEW YORK.]

From *The Royal Gazette*, 409, New York, Wednesday, August 30, 1780.]

"A number of gentlemen in this city, feeling "themselves hurt at a paragraph in our last "paper, copied from a letter from London, of the "7th July THE FOLLOWING IS INSERTED TO "EFFACE ALL SUSPICION OF THE REVEREND MR. "WESLEY'S WANT OF FAITHFUL ATTACHMENT "TO THE KING AND CONSTITUTION."

"MR. RIVINGTON,

"SIR.

"HAVING read a paragraph in your Saturday's paper, in which the Reverend Mr. Wesley is charged with secretly blowing up "the flame which has lately been kindled in "London, we have sent you a copy of a letter "from him to his Assistant Preacher in this city, "your giving it a place in your Wednesday's

"paper, will greatly oblige the Society of people commonly called Methodists in New York."

"MY DEAR BROTHER

"A REPORT was spread some time since in England, that the British troops were to be recalled from New-York, but I am inclined to think it was raised and propagated by designing men, who intended thereby to weaken the hands of them that FEARED GOD AND HONOURED THE KING, OR BY WEAK MEN, WHO BELIEVED WHAT THEY WISHED; but it now clearly appears to have been without any foundation; on the other hand, government are determined to act more vigorously than ever."

"It is a wonderful instance of the goodness of God, that we have any societies left in America. I do not advise you to leave it till you have a clear providential call. Be strong in the Lord, and in the power of his might.

"I am,

"Your affectionate Brother,

"J. WESLEY."

"N.B. Any Person may see the Original, by applying next door to the METHODIST PREACHING HOUSE, in John Street."

Against this testimony, thus sustained, *The Methodist* says:

"An Englishman, preaching in New York, did defend him in the *Royal Gazette*, of New York, against a charge of 'blowing up the flame' of a London mob in 1780, and of thereby showing disloyalty to his king; and Mr. Dawson cites this defence to show that Wesley and the New York Methodists were opposed to the American movement!" without saying, as it would have done had it been conducted by honest laymen, that that "Englishman" was Mr. Wesley's correspondent and accredited preacher, then in charge of the Methodist Society in John street; that that letter was published by the Tory printer, in the *Royal Gazette*, at the request of "the Society of people commonly called Methodists in New York;" and that the avowed object of that "people" in thus publishing it, as understood and stated by the printer of it, was "to efface all suspicion of the Reverend Mr. Wesley's attachment to the King and Constitution"—that is to say, to eradicate all ideas of his sympathy with "the Colonists."

But *The Methodist* continued its answer in this style: "Now, every student of English history knows that this London mob—the famous Lord Gordon Riot—was an anti-Catholic outbreak, and had nothing whatever to do directly with the Colonial question. Mr. Dawson gives no intimation of this fact whatever; and because Wesley and his friends vindicated his loyalty

"to his country's laws by declaring that he and his people did not 'blow up this flame' in London, Wesley and his people, even his American people, are accused of hostility to the American cause! This is certainly a new sort of syllogism."

No one knows better than Doctor Stevens and *The Methodist*, that the riots referred to HAD something to do, *indirectly*, "with the Colonial question," in so far as they indicated an opposition to the existing Government; and no one better than our opponents knows that those riots were thus considered in America, since the Society of people commonly called Methodists in New York declared that to be its understanding of their purport, when it published the article in question, for the express purpose of "effacing all suspicion of Mr. Wesley," on that subject.

*The Methodist* knows, also, that THE HISTORICAL MAGAZINE concealed nothing which related to this subject; that it published, *verbatim et literatim*, ALL that "the Society" itself considered necessary for the vindication of Mr. Wesley from an implied charge of disaffection to the King and Government; and that when, in its third article, *The Methodist* insinuated the contrary, it insinuated a falsehood which it had not sufficient courage to declare openly.

*The Methodist* then continued: "The New York English preachers did at this same time publish in the *Royal Gazette* of the city a letter of Wesley's not bearing at all on the question of the London mob, but evidently written at an early period, showing Wesley's fidelity to his Government, and referring unfavorably to the American question. The design of its publication at this time was evidently to prove that Wesley, being loyal to his country, could not have incited the London mob. But the letter is without date; it only proves Wesley's opinion at a former and indefinite time. We doubt not that it expresses what was Wesley's opinion, throughout the war, of his duty of submission to the administration of his Government, and what was originally his opinion of the American revolt. But he changed his opinion on the latter question, as we shall proceed to demonstrate."

"The New York English preachers," thus referred to by our opponent, were the preachers in charge of "the Society of people called Methodists in New York," and were acting for that "Society": why, then, did not *The Methodist* state that fact to its readers or publish the publication itself, in order that they might read it for themselves?

It is very true that Mr. Wesley's letter, thus published by the John street "Society," in 1780, was probably "written at an early period"; that



"it showed Wesley's fidelity to his Government and referred unfavorably to the American question"; that "it is without date"; that "it" had "no bearing on the question of the London mob"; and that "it only proved his opinion at a former and indefinite time"; but it is not true, and *The Methodist* knew it was not telling the truth when it made the statement, that "the design of its publication was evidently to prove that Wesley, being loyal to his country, could not have incited the London Mob."

The object of the publication, as expressed on its face, was "TO EFFACE ALL SUSPICION OF THE REVEREND MR. WESLEY'S WANT OF FAITHFUL ATTACHMENT TO THE KING AND CONSTITUTION," in contrast with the opposite sentiment which was then prevailing in America and which had already lost, to all intent and purposes, thirteen of the richest gems belonging to the British Crown; and, with this avowed purpose in those who published it, it matters nothing that it was not recently written, without date, and somewhat irrelevant, since the temper of both the writer and the publishers was openly expressed therein and perfectly patent to every one who read it; and the Toryism of both Mr. Wesley and "the Society of people called Methodists in New York" was sufficiently established by this ready-made material, notwithstanding it had been prepared for another purpose, and was only awkwardly adapted to this.

But, if there was any reason to doubt the purpose or the success of the first, there was a second publication in *The Royal Gazette*, in February, 1781, by the same "Society of people called Methodists in New York," at the expense of the John street Society itself, as can be ascertained from its books, in which Mr. Wesley himself, and Mr. Boardman, lately the preacher in John street, bore direct testimony concerning the political opinions of the former, and his "writings, conversations, and preachings," in vindication of the Home Government, from the beginning of the War until the fall of 1780, when the fate of the United States was no longer a matter of doubt. With a purpose, however, which was undoubtedly the opposite of that of its predecessors, *The Methodist* did not publish nor even refer to this latter testimony, in any of its articles; and although by its reticence it sheltered Mr. Wesley from immediate condemnation on his own testimony and itself from the shame, before its own readers, to which its deliberate falsehood had subjected it, we propose to lift the veil and expose in all their naked deformity the peculiar Republicanism of Mr. Wesley, "the founder" of Methodism, and the peculiar Christianity of *The Methodist*, which is its modern, New York exponent. The record reads thus:

[From *The Royal Gazette*, 460, New-York, Saturday, February 24, 1781.]

"MR. RIVINGTON  
"SIR.

"WE send you a copy of a few lines from the Reverend Mr. John Wesley, in answer to a letter published the latter end of August last, accusing him with being an abettor of the rioters in London; together with a copy of a letter from Mr. Richard Boardman, to his correspondent in this city. Your inserting the whole in your next Gazette, will greatly oblige the Society of people called Methodists in New York.\*"

[MR. WESLEY TO MR. RIVINGTON.]

"London, October 25, 1780.

"Mr. Rivington,

"I HAVE advice from New-York, that a letter from London has been published there which, after mentioning the riots occasioned by Lord George Gordon, asserts "It is the Dissenters and Methodists who are secretly blowing up the flame." Let the Dissenters answer for themselves, but I will answer for the Methodists.—ALL OF THEM WHO ARE CONNECTED WITH ME, FEAR GOD AND HONOUR THE KING, and not one of them was any otherwise concerned in the late tumults than in doing all they possibly could to suppress them.

"The letter writer asserts farther, the Dissenters and Wesley at the head of the Methodists are blowing up the flame." This poor wretch has shook hands both with truth and shame; not one Methodist had anything to do with the riot, and as for me, I was then near three hundred miles off, namely at New-castle upon Tyne.

"I am, Sir

"Your humble Servant,  
"JOHN WESLEY."

[MR. BOARDMAN TO HIS FRIEND IN NEW YORK.]

"London, October 27, 1780.

"My good Friend,

"WHAT will not prejudice do, or say? NO MAN IN ENGLAND HAS MORE STEADILY AND ZEALOUSLY VINDICATED GOVERNMENT, BY WRITINGS, CONVERSATION AND PREACHING, THAN MR. WESLEY HAS DONE, TO THE NO SMALL MORTIFICATION OF THE DISAFFECTED OF ALL PARTIES; this is well known through these Kingdoms, so that whether the piece published in the New-York Gazette, was fab-

\* "The old book" of accounts of "the Society of people called Methodists in New York," shows that on the first of March 1781, there was "Paid Mr. Rivington for advertising. Mr. Wesley's letter, &c. £2 16s. 0d."

"ricated on this, or your side of the water,  
"matters not; it is false and scandalous.

"Wishing you peace and truth, I am,

"Yours affectionately,

"RICHARD BOARDMAN.\*"

Without occupying space with additional testimony, or with speculations of our own on the value of what we have adduced, or might have adduced concerning Mr. Wesley's Toryism, even at the close of the War, we may be permitted to quote, on that subject, what has been said by Rev. J. B. Wakeley, the well-known modern Methodist historian, who boldly and truly says, in his *Lost Chapters recovered from the History of American Methodism*: "The Methodists were considered not as Dissenters, but part and parcel of the Church of England, using the Prayer Book and communing at St. Paul's Episcopal Church." \* \* "The founder of the Methodists, Mr. Wesley, was known to be a great Loyalist, and strongly opposed the course pursued by the Americans, having written a *Calm Address to the American Colonies*. This was the case also with Mr. Fletcher."

This testimony was before *The Methodist*, both when it charged the Editor of *THE HISTORICAL MAGAZINE*, by name, with "completely lying on the subject," and when it undertook to convince its own readers that Mr. Wesley was a friend to the American cause, who had been slandered by "Mr. Dawson's" misconduct; yet it boldly concealed it from his readers and as boldly assumed that it did not exist. We are free to say, therefore, concerning this flagrant suppression of the Truth by our religious opponent, that if its Works are to be taken as a fair criterion of the character of its Faith and that of its brethren, we have no desire to become either a Methodist or the neighbor of one.

We come now to our next averment:

III. "The evidence of the political sentiments of the early Methodists, in England, is not more conclusive of their Toryism than is that of the evidence that their brethren in America had little sympathy for the popular cause, in their own country."

To sustain this proposition, we stated, what we now repeat, that a few days after the commencement of hostilities at Lexington and Concord, their Conference declared for "Peace," notwithstanding their countrymen, everywhere, were hurrying to the field; and on the eighteenth

of July,—a month after the action on Bunker's Hill—a General Fast was observed "for the Peace of America." (*Minutes of Conference, 1775*.) They were emphatically the "PEACE-MEN" of their generation.

Again: Their meeting-house in John street, New York, was respected by the British army and their preacher was permitted to continue at his post, as no other meeting-house was respected and no other preacher undisturbed, during the occupation of the city by the Royal forces, except those whose fidelity to the Royal cause was unquestionable and unquestioned. (*WAKELEY'S Lost Chapters, 261-263, 267-278; WATSON'S Annals, 326.*)

The Methodists of Baltimore, also, "almost to a man," were "enemies to our cause under the mask of religion;" and the following letter, from one of the leaders of "The Sons of Liberty," in that town, will further illustrate the subject:

[From the Schuyler Manuscripts, in the possession of the family.]

—BALTIMORE, 4th May 1777.

"Dear Sir:— I have seen a person in this place within a few days past, whom Mr. Hillegas & I from several circumstances suspect to be a spy; and could not but conceive it my duty to acquaint you as a member of Congress of our apprehensions, that he may be at least prevented from going to New York, which I understand is his intention. The person I mean is Capt<sup>r</sup>. Webb the Methodist preacher, & as I am informed a half-pay officer in the British service. He came to this place last Tuesday or Wednesday, & in his sermon to his followers hinted as much as that it was the last time they should see him. I have since heard that he intends going to New York to embark for England. The character under which he travels affords him the very best opportunities of making observations, which it can't be doubted he will communicate if permitted to go to New York. IT IS A CERTAIN TRUTH THAT ALL THE DENOMINATION CALLED METHODISTS ALMOST TO A MAN (with us) ARE ENEMIES TO OUR CAUSE UNDER THE MASK OF RELIGION, AND ARE COUNTERANANCED BY THE TORIES. One of their preachers did lately in this place tell his hearers that every man killed in battle would certainly go to hell. Can the worst avowed Tories propagate a more dangerous doctrine to weak minds.

"Mr. Webb was attended here by a young man named Carey who appears to be a great devotee, and of whom Mr. Hillegas & I have lately observed some things that give great room to suspect he is a travelling emissary of the enemy's, & increases our suspicions against Mr. Webb. This Carey about 2 or three weeks

\* Mr. BOARDMAN had been the "Preacher" in John street, for several years, but was then in England.

He came to America, in company with Mr. Pilmoor, in 1763; preached a short time in Philadelphia, and thence removed to New York. He remained there until 1773, except during occasional tours of duty in New England, &c.; and in the early days of the Revolution, he returned to England, in company with Mr. Pilmoor. (*WAKELEY'S Lost Chapters, 197-206.*)



"ago was taken up on Elk Ridge as a suspected person, & he got clear by saying that he was in the employment of Mr. Hillegas the Continental Treasurer. This person is constantly travelling to and fro betwixt this, Philad<sup>a</sup>. & the Jersey under the character of a horse jockey, an excellent Cloak for an emissary. The evening before Mr. Webb left town, Mr. Hillegas & I observed this Carey with a person, who appeared as a rider go into the house of a tory near Mr. Grants, & after staying there some time the rider was despatched in a great hurry, I immediately after got three young gentlemen to pursue him on horseback, but it being late in the evening they missed getting him. Upon enquiry at Mr. Grant I find that Carey keeps a spare horse constantly at his stable & that he seems to have plenty of money, altho' he has no visible means that he knows of to get money but what I have mentioned and appears as a gentleman. Carey has been out of town since Thursday, altho' he told Mr. Grant that was only going a little way out of town. I therefore suspect he is gone to Philad<sup>a</sup>. If Mr. McCrary who lodges at my house & who is now at Philad<sup>a</sup>. should not be left it before you receive this, you may possibly find him at my brother's house in Philad<sup>a</sup>. & I suspect that he knows Carey & can give you a description of him. You may depend on it that Mr. Hillegas & I shall take all the pains in our power to investigate this matter. For that some inimical plan is carrying on I am well convinced. I am

"with much respect Sir,

"Your most hb<sup>l</sup>. Serv<sup>t</sup>.

"SAM<sup>l</sup>. PURVIANCE Jun<sup>r</sup>."

Finally, at the close of the war, when the Tories sought safety in exile, Rev. John Man and probably Rev. Samuel Spraggs, of the John street "preaching-house," and a large number of the members of that Society, removed to Nova Scotia, where, subsequently, Rev. Freeborn Garretson—son-in-law of Chancellor Livingston, and a New York Methodist refugee—became the Presiding Elder. (SABINE'S *History of the Loyalists*, i., 463, 464; ii., 45; WAKELEY'S *Lost Chapters*, 262-266, 293, 296, 297.)

Against this testimony, which may be fairly considered as "undoubted," concerning the infidelity to their Country of the early Methodists in New York and Baltimore, *The Methodist* staggers while it ADMITS ITS ENTIRE TRUTH, in its unqualified admission that they really declined to enter the "Association" in which every patriotic American was cheerfully engaged, and declined to be bound by those engagements which every lover of his country voluntarily assumed—it even admits that "they could not

"conscientiously take some of the Colonial test-oaths," which were administered only to the extremely disaffected; and it tells us, also, that some of them suffered the extreme penalty of their ultra Toryism, in their early exile from America. All this is told with the utmost frankness; and that admission will not be considered less important when it shall be received, as it will be by every intelligent reader, as an unqualified plea of "Guilty," by *The Methodist*, to the charges which THE HISTORICAL MAGAZINE has brought against the early American Methodists, of Loyalty to their King and disaffection to their Country, when the former was a Despot and the latter in Revolution.

In extenuation of the offense, if it was one, of which the early Methodists were guilty, as admitted by *The Methodist*, our opponent curiously endeavors to qualify if not belittle it, by pretensions, *unfounded in fact*, of their subsequent good behavior. He does it, in this wise:

FIRST: "They were the first ecclesiastical men of the country to acknowledge, *officially*, the new Government, and to affirm the obligation of Loyalty to it," *The Methodist* says; but if that exponent of Methodism knows anything on the subject, or one-half as much as it pretends, it knows that there is no evidence, beyond its naked word, which is not quite "conclusive," of any such "official" action by the only "official" organization of Methodists in America, which existed during the entire War, and until some years after—in 1775, it merely declared for "Peace" while all *patriotic* America was flying to arms; in 1776, it was perfectly silent on public affairs; in 1777, it refused to take or to sanction any step that might separate the Preachers from their stay-at-home brethren, notwithstanding "the present distress," with the enemy in the seat of the Congress, called every man into the field; in 1778, it was silent on public affairs; in 1779, it reiterated its fidelity to the Church of England, with its Prayers for the King and the success of his Armies and Fleets, etc.; in 1780, it renewed its declaration of fidelity to the Church of England; in 1781, political affairs were not alluded to; in 1782, it reiterated *unanimously* its obedience to Mr. Wesley's mandates, of whom, a few months before, it had been said, "officially," "No man in England has more steadily and zealously vindicated Government" [*in taxing without representation, in hiring Hessian soldiers, in arming Indians with rifles and scalping-knives etc.*] "by writings, conversation, and preaching, than Mr. Wesley has done, to the no small mortification of the disaffected of all parties;" in 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, and 1792, it was silent on public affairs; and we need go no further to prove the entire groundlessness, in fact, of every portion of *The*

*Methodist's* pretensions, and its entire disingenuousness in *making them*. We speak from the testimony on the subject of the *Minutes of the General Conferences*, which will be recognized by every one as both "official" and "conclusive."

In fact, whether in 1775, when the Congress assembled, or in 1776, when it declared the Independence of the several Colonies, or in 1781, when the *Articles of Confederation* were adopted, or in 1783, when the King acknowledged the independence of the several States, or in 1787, when the Convention formed the new Constitution, or in 1789, when "the new system" became operative, the Methodists took no "official" notice of public affairs, preferring, more wisely than our opponent, to keep their mouths closed when they could not safely open them.

SECOND: It excuses Captain Webb, whom it does not admit to have been a Tory, although he was an officer in His Majesty's service; and it appeals to papers in possession of the Schuyler family, of which it knows nothing whatever except what it has read in THE HISTORICAL MAGAZINE; and it finds in those papers, it says, or insinuates, a record of the notoriety in Baltimore of Webb's movements, of Carey's discharge from imprisonment in Philadelphia, of Webb's undisturbed and open return to New York from Baltimore, etc., *although there is no such testimony among them*.

THIRD: It tells us of certain "other preachers" than Mr. Asbury, whom it pretends, without reason, were patriots and enemies of the King. Chievrrant, Bidlack, McCormick, and Jacob Carter are among those "other preachers" whom it thus parades as "patriotic," while they were also, it admits, living in defiance of the Association: it does not say, however, that there were no such men among the Methodist "preachers" during the period referred to, nor for many years after its close, as the official lists will show. It tells of Jesse Lee "consenting to go into camp *as a Preacher* and wagon-driver, but not as a "fighter"; although he was not "received on trial" as a Preacher until the sixth of May, 1783, several months after the Treaty of Peace had been signed, when he was sent to Caswell, instead of "into camp"; and that he was not "admitted into full connection" until January, 1785—more than three years after the suspension of hostilities. It tells, also, as among the "other preachers" during the War, of "Bishop McKendree," of whom we find no record whatever during that period nor for many years after—William McKentree, if that was the person referred to, was not "admitted on trial" until 1788—sometime after Cornwallis's capture, where, as "Bishop," he seems to have figured in *The Methodist's* imagination—and not until 1790 was

he "admitted into full connection." Thomas Hare, another of *The Methodist's* "other preachers" in buckram, was not on the records during the War, nor for a dozen years subsequent—if Thomas Ware was meant, our opponent was equally unfortunate, since he, also, was not "admitted on trial" until 1783, and "into full connection" until 1786. Lately Matthews, the last of its airy party, was no more a preacher at the period referred to than were those whom we have already dissected—he was not "admitted on trial" until 1786, and "into full connection" until 1788, as our opponent may know if it will examine the records as closely as we have done.

*The Methodist* owes it to its own readers as well as to the world at large, to explain its purpose in thus attempting to impose upon them and us by such a wholesale manufacture of spurious "History," as that which is here exposed, in order that it may fill an awkward crevasse existing in the annals of early Methodism. At any rate, it should learn that those who desire to tell falsehoods should refresh their memories before embarking in such an enterprise; and it should not forget that there are some persons who do not read *their* History of Methodism through Doctor Stevens's spectacles, nor any where else than in "official" contemporary authorities.

FOURTH: It tells of the "loyalty" of the Methodists in New York—it says "the little society came out of the War quite generally 'loyal';"—but, very shrewdly, it does not say to whom they were "loyal," the King or the State.

In 1774, there were two hundred and twenty-two Methodists in New York, two hundred and four in Philadelphia, two hundred and fifty-seven in New Jersey, two hundred and eighteen in Brunswick, N. C., etc. Within a year, in 1775, New York *lost* twenty-two, and Philadelphia fourteen, while in the country places, where the Sons of Liberty were not so perfectly organized nor so vigilant, they everywhere gained—Brunswick, for instance, *increasing four-fold*. A year later (1776), New York had lost another sixty-eight, Philadelphia fifty-three, and New Jersey one-half its membership, while Brunswick had again *doubled* its membership. Still later, in 1777, New York had lost another thirty-six, and Philadelphia forty-one, leaving only ninety-six in each place—*The Methodist* tells us, however, that those who fell off were "in sympathy with the Home Government," and were exiled, which acknowledgment strikes us as an exceedingly awkward one, under the circumstances.

FIFTH: It says "it is utterly false" that the John street "preaching-house" was secured to its owners because of their Toryism, as charged by THE HISTORICAL MAGAZINE; yet it turns



around on the next line and stamps the ignominy on its own cheek by admitting the truth of the Magazine's averment—"doubtless the well-known early committal of Wesley on 'the Colonial question had some influence in 'their favor,' are its words—and we dismiss it to itself, since it will need no worse tormentor.

SIXTH: It says "it" [*the John street chapel*] "was given to the Hessian troops and their chaplain, who used it on Sundays," and it cites Stevens's *History* as its authority; but the contemporary authorities and the earliest history of Methodism published in America would have taught it, had its conductors cared to learn from such sources, that the Hessians worshipped in the *Lutheran* church edifices, not in the Methodists'; and that the "indulgence" which the latter enjoyed at the hands of the King's officers was less from regard for the convenience of the Hessians, than, as Doctor Stevens strangely expresses it, in view of *The Methodist's* earnest denials, "out of respect to Wesley's opinions" concerning the sanctity of the King and the justice of his demands on America.

SIXTH: It refers to Mr. Sproggs, in extenuation of his Toryism, as "one of the English Preachers sent over by Wesley," as if he was any less a Methodist on that account; and he tells, all for the same purpose, that "at the breaking out of the War he retired from the work, to New York, on his way to England, but stayed there preaching for the Methodists, and afterward became a Protestant Episcopal pastor in Elizabethtown, N. J.," as if that helped the matter. He was a *Methodist* Episcopalian, sent to America by Wesley; and when the troubles broke out in the Colonies, he was so much of a Tory and thought so much more of George III. and his cause than of Christ and his cause, that he "retired from the work" and sought safety under the guns of Royalty. These he found in New York; and there he stayed until, once more, in 1783, he was driven still farther—into Nova Scotia, the Tories' refuge;—and if he subsequently returned to Elizabeth Town, to the Tory congregation of T. B. Chandler, another exile for a similar cause, that return affords no more evidence of his patriotism during the War, than did the return from a similar exile, about the same time, of Samuel Seabury, and Peter Van Schaick, and other notorious Loyalists of that period.

SEVENTH: It refers to Mr. Mann, in extenuation, as "an English layman," as "not a travelling or regular preacher," as "never on the Minutes," as "not ordained even as a local Preacher," etc., as if he was any the less a *Methodist*, or any the less a *Methodist Preacher* for all that. Of course he was "a layman," but

which of the Methodist Preachers of his day was anything else than "a layman"? Of course he was "not a travelling preacher," since he was too much of a Tory to leave the shelter of the Royal armies. If he was not "a regular preacher" why was he not disowned, as he was not? Of course he was not on the American "Minutes" since he was not within the American lines, but those of the enemy. He certainly was "not ordained," as *The Methodist* says, but so also was even Mr. Asbury "not ordained" and not entitled to administer an ordinance, until long after the close of the War, when Mr. Mann was in exile because of his more manly course as an open, honest sympathizer with the Royal cause.

SEVENTH: It says the averment of Freeborn Garrettson's Toryism is "a flagitious fiction," yet it gravely turns about, within ten lines, and tells, successively, of its ignorance of his political opinions and of its knowledge that he refused to identify himself with the friends of America—its words are: "we are not prepared to say what were the personal opinions of Garrettson respecting the War," and "he was unwilling, like most of his" [*Episcopalian*] "ministerial brethren to take those Colonial oaths" which were tendered only to those whose patriotism was more than questionable and whose practises had rendered them obnoxious to the people and the local insurgent authorities. When *The Methodist* shall have determined to which of the two great parties it will attach Mr. Garrettson, we will follow it more closely: meanwhile, we commend to its prayerful consideration the biographical sketch of that gentleman which is to be found in Mr. Lorenzo Sabine's universally respected *History of the American Loyalists*; while we would also respectfully suggest, in the same connection, that the less it shall say concerning his marriage into the Livingston family, the better it will be for its cause.

EIGHTH: It tells, also, evidently as a feint to withdraw attention from the real question—how honestly will be apparent to every one—that "the Early Methodists" during "the American Revolution," were honest sympathizers with the popular cause, because "at the organization of the M. E. Church," it was the first to formally "recognize the new American Government in one of its organic 'Articles of Religion,'" although it knew when it made this plea that "the M. E. Church" was not "organized" until January, 1785, more than three years after the success of the insurgents was conceded by the Home Government, and two years after the Treaty was signed which officially recognized their Independence; and it knew, also, that in the "organic article" referred to by it, [*Article XXIII.*] "the M. E. Church" had said no more in Janu-

ary, 1785, than George III. had already said, in January, 1783, in the Treaty of Peace. As well, therefore, might *The Methodist*, by similar reasoning, claim that the King had also been a Patriotic sympathizer with the insurgents, since he, also, like the Methodists, had "recognized" the Congress, the General Assemblies, the Governors, and the Councils of State, as the *Delegates of the People*, AS THE RULERS OF THE UNITED STATES OF AMERICA, and the States as not properly "subject to any foreign jurisdiction;" but who will not see that the mere admission of an unpleasant fact, either by the King or the Methodists, could go but a very short distance in proving the sympathy of either of them with the causes which had produced it; and that *The Methodist*, in grasping at such a straw, too clearly indicates its own consciousness of the extreme danger in which it has found itself.

The same may be said, also, of "the *Personal Address*" which *The Methodist* very quaintly says was presented to Washington by the Bishops *in behalf of "the Conference;"* notwithstanding its "personal" character divested it of every appearance of an official character, and the Minutes of the Conference itself clearly indicate that no such Address was either adopted, or authorized, or sanctioned, or considered, or even alluded to in that body.

The same may be said, also, of the pretense that the *Articles of Confederation* were "super-seded" by the *Constitution*, since the latter is only an amendment of the former, which remains in full force to this day, in every feature which was not thus amended; and it may be said of the injunction of Loyalty to "the Government," which the Methodist Conference is said to have imposed on its members, although it had ceased to be the subject of a King and resided in a Republic, where "the Government" was the *servant* of the People, not *its Sovereign*, that its extreme Toryism could not have found any more emphatic and sympathizing testimony.

We believe that we have now met every issue that has been presented by *The Methodist*, and disproved every count of its indictment against us for alleged "complete lying," concerning the Toryism of the Early Methodists during the American Revolution, and we trust we shall be understood beyond a doubt, while closing our remarks, when we say, as we do say, distinctly, that we have never examined any subject, nor been engaged in any discussion, wherein there has been so complete and unblushing a disregard of the Truth, of the merits of the subject discussed, and of the courtesy which is due to an opponent who has produced authentic testimony to sustain his plea, as has been displayed by *The Methodist*, in the case which is now before us. H. B. D.

Morrisania, N. Y., May, 1867.

#### IV.—SELECTIONS FROM PORTFOLIOS IN VARIOUS LIBRARIES.

47.—JOHN RANDOLPH OF ROANOKE TO CHIEF-JUSTICE MARSHALL.\*

DEAR SIR,

I send you the last Enquirer—I have not read it & feel no inclination to do so for some days at least I am worn down by disease & labour—I ride indeed, but it is as poor Robert Comistor used to do with Death upon the crupper—Port Equitem Sedet atre Casu—

I date this because I have not done as I wished I have not been to see you of late—

Most respectfully & faithfully

Yours J. R. of ROANOKE

To

Mr. CHIEF JUSTICE.

Tuesday, last of Feb.

[ON THIS LETTER IS INDORSED *in pencil*, IN HAND OF MR. RANDOLPH:]

No. 7. in the last paper sent is I think rather flat.

48.—DAVID HOWELL, SENATOR FROM RHODE ISLAND, TO DR. SOLOMON DROWNE.†

PHILADELPHIA, 16<sup>th</sup> Octobr 1782.

DEAR SIR,

Yours of the 17 Ult. came safe to hand & is now before me.

I feel the loss which the public must sustain in the Death of the late Governor Cooke. His political character will shine among the first Worthies in our State. His singular merit consisted in his stepping forward in the Service of the public at the call of his Country at a very critical time—He was a friend to his Country in time of need.

The Sentiments you express in regard to a late production are flattering—It has the evident marks of haste upon it; the writer must have had one foot in the Stirrup, as we say, but the Sentiments are good & such as, I hope, will prevail.

For many particulars in regard to Impost, half-pay, back-lands, &c. I must beg leave to refer you to my late Letter to His Excellency the Governor—As the Gen<sup>l</sup> Assembly will sit in Providence you will have an opportunity of perusing all the public papers.

Congress have called on our State to give a definite answer in regard to the Impost: I suppose it will be done at the present Session. I hope every friend to his Country will exert himself on this important occasion.

\* From the Collection of Francis S. Hoffman, Esq., of New York.

† Communicated by H. T. Drowne, Esq., of New York.



Gen<sup>l</sup> Cornell has taken an office under Mr. Morris of 2,000. Dollars p<sup>r</sup> Annum, he is inspector of Contracts in the Army and Delegate too. *Quere.* How does this consist with Art. 5<sup>th</sup> of this Confederation?

I am not a little mortified as well as you at British insolence on the Ocean; but it will more fully evince to Europe the necessity of a naval combination sufficient to check a power already become dangerous to their general interests.

Our foreign affairs are in a good train. Sweden has courted our friendship. An alliance of amity & commerce will no doubt soon take place betwixt that kingdom & the United States.

I pray you to present my respects to Mrs. Drowne & all Friends—I hope to see you by Christmas—I am, dear Sir,

Your most obedient

and most humble Servt

DAVID HOWELL.

Dr. SOL<sup>N</sup>. DROWNE.

[ADDRESSED:]

Dr. Solomon Drowne

Providence

Free

D. HOWELL

49.—J. FENIMORE COOPER TO H. ONDERDONK JR.\*

COOPERSTOWN, Oct<sup>r</sup> 30<sup>th</sup> 1849.

DEAR SIR,

The defalcation of Gen. de Lancey, is well known to me, and has no influence as an estimation of his character. The circumstances, as I have always heard them explained, were these:

Gen. de Lancey was deputy Adj. gen of England. He must have succeeded to the Adj. generaley. Mr Pitt was desirous to create a Barrack Master General, and offered the situation to Gen. de Lancey. The latter thought his prospects best in his old department and was unwilling to be B. M. General. The responsibility included the expenditures of all the Barracks of the empire. He finally took the office, under the express stipulation that his accounts should be auditted every six months. This was done for a short time, but the pressure of business soon put a stop to it, and the accounts lay in an enormous mass, accumulating daily.

When the political stir was made in the case of Lord Melville, the *outs* brought forward every case they could, to prove corruption on the ministry. The Barrack Department was included in the investigations. A commission sat fore years to investigate accounts that ought to have been auditted semi-annually. At first, of course, gen. de Lancey appeared as a defaulter to an enormous

amount, but investigation reduced the sum to what figure I never knew. His character never suffered, with the government, which left him his rank and his regiment, neither of which would have been done with one suspended, or convicted of moral defalcation. He was too indolent for the station he held, and I believe the office was abolished.

Magazines are seldom right in their details. In this they resemble newspapers. As respects the death of Gen. Woodhull, a lady of his connection—a blood relative indeed—has given me virtually the account of Judge Jones, she having been a contemporary and a resident near Jamaica. She said that Woodhull attempted to escape, was cut up by the dragoons, and only saved from death on the spot by the interference of Oliver de Lancey. I have no doubt, whatever, that this is the fact. I did not mention the name of this informant from an unwillingness to mix her up in such a discussion.

Judge Troup was an honest man, but a very impetuous and wrong-headed one. It was not probable gen. Woodhull would confess his attempt to escape, nor is there proof that he anticipated any publication on the subject.

In the only interview I ever had with Col. Troup, he then a man of sixty, and I a young one of some five and twenty, he betrayed his impetuosity, got his facts all wrong and felt it due to me to apologise, which duty he did not perform as a gentleman ought to have done. I confess that interview has greatly lessened the value of his statement, on this occasion.

The world is made up of prejudice, sophistry and falsehood. Truth is seldom unaccompanied by a lie, and history is little more than an elaborated fable.

Sir, Yours respectfully

J. FENIMORE COOPER.

HENRY ONDERDONK JR Esquire

50.—OLIVER WOLCOTT'S RECOMMENDATION OF JOHN PIERCE, JUNIOR.\*

Mr. John Pierce Jun<sup>r</sup> of Litchfield in Connecticut, having the Summer past been employed by Commissary Phelps at Albany as his clerk and to assist him generally in the Commissary Business, which Mr. Peirce I am well informed has done with Fidelity and Despatch and Mr Phelps having now resigned that Department and Mr. Peirce being desirous of some proper Employment in the Army—I can with great Satisfaction Recommend Mr. Peirce as a young Gentleman with a fair and unexceptionable char-

\* From the collection of the Long Island Historical Society.

\* From the Collection of Francis S. Hoffman, Esq., of New York City.

acter—I have known him from his infancy and he has in my opinion Very justly acquired the Reputation of a faithful, industrious, prudent and Virtuous man—a good Writer & Accountant, a Man of Business and Despatch, amiable in his disposition and intirely well affected to the American Cause—And I believe may Very Safely be Employed in any Business in the Army when these Qualifications are necessary—Litchfield 4<sup>th</sup> Jan<sup>y</sup> A D 1776

OLIVER WOLCOTT

## V.—OUR HISTORICAL WRITERS.

### 1.—DAVID DUDLEY FIELD, D.D.

The recent death of a respected local historian affords a fit opportunity for the commencement of a work which has remained too long neglected—the record of the lives and services in the field of Historical Literature, of those patient and generally unrewarded laborers who have risen, toiled, and fallen in the service, and whose very names are too often unknown, as Historians, beyond the limited circles of their own immediate acquaintance or the still more limited extent of their own neighborhoods.

The first whom we shall mention, in this connection, is the last who was taken from us; and we select him with the greater willingness because he was not an historian by profession and might have reasonably avoided the labor which it imposed, by confining his attention to the cares of his Pastorate.

The family of FIELD is an ancient one in England; and in America it has been seated for more than two Centuries, in the persons and descendants of Zechariah, of Hartford, Connecticut; William and John, of Providence, Rhode Island; and Robert, of Flushing, New York.

The first of these, ZECARIAH, one of whose descendants is the subject of this sketch, came to Boston in 1630 or 1632; removed to Hartford in 1639; settled at Northampton, Massachusetts, about 1659; thence removed to Hadley, about 1663; and died in June, 1666, leaving a widow who had borne him five children—Mary, Zechariah, John, Samuel, and Joseph—all of them, probably, born while he lived in Hartford, and between the years 1643 and 1658.

ZECARIAH (2d), the eldest son of the last-named, resided successively in Northampton and Deerfield, Massachusetts. On his decease, the date of which is not known, he left a widow, Sarah Webb, and three sons, Zechariah (3d), Ebenezer, and John; the second of whom, EBENEZER, the grandson of the first Zechariah, removed to Guildford, now Madison, Connecticut,

where he married Mary Dudley, and died on the seventeenth of May, 1741, leaving a widow and seven children—David, Mary, Samuel, Ebenezer, Joareb, Ann, and Zechariah, (4th.)

DAVID, the eldest son of Ebenezer, and great-grandson of the first Zechariah, settled in “the Woods,” in the town of Guildford, now Madison, about 1720; and married, *First*, Mary Bishop; *Second*, Catharine Bishop; *Third*, the widow Abigail Stone. He had Sarah, Benjamin, David, and Ichabod, by his first; Anna, Samuel, and Ebenezer, by his second; and Timothy, Abigail, Catharine, and Mindwell, by his third wife; and died on the sixth of February, 1770.

The youngest son of David, TIMOTHY, who was the great great-grandson of the original emigrant from England, resided in Madison, Connecticut; served honorably through the War of the Revolution, in which service he attained the rank of Captain; and died on New Year's Day, 1818, aged seventy-three years. He was married on the twenty-seventh of November, 1767, to Anna Dudley, of North Madison, Connecticut, by whom he had Mina, Lois, Mina (2d), Timothy, Mary, David Dudley, Abigail, and Anna.

The second and youngest son of Captain Timothy Field last-mentioned, DAVID DUDLEY FIELD—who was the great-great-grandson of the founder of their family in America—is the subject of this sketch; and having traced his descent through five generations of honorable ancestors, we are the better prepared to understand the interest which he felt in all that related to Middlesex County, Connecticut, and Berkshire, Massachusetts.

He was born in North Madison, Connecticut, on the twentieth of May, 1781; and was fitted for college by Rev. Joseph Elliott, D.D., of Madison.

He entered Yale College, in 1798, and graduated with honor in 1802; having spent several months, during the intervals of study, in teaching school, in order that he might obtain means to complete his education. His class embraced, among others, Jonathan Evarts, Levi Hubbard Clarke, Hon. Isaac C. Bates, President Haskell, Professor Hough, Pelatiah Perit, Junius Smith, Rev. Dr. Woodhull of Brooklyn, William Maxwell, the historian, Governors Tomlinson and Pond of Connecticut, and Judges Couch of Ohio, Lyman and Hubbard of Massachusetts, Hall of Connecticut, and Lewis and Clarke of New York.

In the absence of Theological Seminaries, at the period referred to, students intended for the Ministry were obliged to resort to private instructors; and Mr. Field with several of his Class went to Somers, for the purpose of receiving instruction in theology from Doctor Charles Backus. In September, 1803, he was licensed to preach by the Association of New Haven



East; and immediately after, he was invited to settle in different parts of the country, but he decided to accept the call from Haddam, in Middlesex County, of which parish, after the usual probation, he was ordained Pastor, on the eleventh of April, 1804. He remained there until the eleventh of April, 1818; when he resigned in order to accept an appointment from the Missionary Society of Connecticut, to the new settlements on the shore of Lake Ontario, in the vicinity of the Oswego river. Five months after, he returned to New England; and for some time supplied the pulpits at Stockbridge, Mass. and North Haven, Conn., whose venerable Pastors, Stephen West and Benjamin Trumbull, had retired from their more active labors. On the twenty-fifth of August, 1819, he was ordained to the Pastorate of Stockbridge, where he remained nearly eighteen years; and on the eventful eleventh of April, 1837, he returned to Haddam, Conn. Seven years afterward, on the division of his parish, he assumed the Pastoral charge of the new Church at Higganum, where also he remained about seven years.

In 1848, he visited Europe, with his son Stephen; and, after his retirement from the Church at Higganum, he returned to Stockbridge, Mass., where he spent the remainder of his days, on his old homestead, and in peaceful retirement.

Doctor Field was married to Submit Dickinson, daughter of Captain Noah Dickinson, of Somers, on the thirty-first of October, 1803. They had ten children—David Dudley, a leading member of the New York Bar; Emilia Ann, married to Rev. Josiah Brewer, the Missionary in Asia Minor; Timothy Beals, an officer in the Navy; Matthew Dickinson, widely known throughout the West and South as a Civil Engineer; Jonathan Edwards, a member of the Massachusetts Bar, and sometime President of her Senate; Stephen Johnson, who died in infancy; Stephen Johnson, 2d., one of the Justices of the Supreme Court of the United States; Cyrus West, so well known as one of the principal promoters of the Atlantic Telegraph; Henry Martyn, one of the Editors of *The Evangelist*; and Mary Elizabeth, married to Joseph F. Stone, a merchant of New York.

Mrs. Field died on the sixteenth of August, 1861; and on Monday, the fifteenth of April, 1867, after enjoying, with a little great-grand child, a pleasant drive around the village where he resided, during which he declared to one of his neighbors that his health was remarkably good, Doctor Field sat down in his chair, within his own house, at Stockbridge, and was instantly a corpse—he died, literally, without a struggle, in the midst of his family and of the community of which he had been so long a most prominent member.

He was always a laborious student; and the duties of his Pastoral office were discharged with conscientious fidelity. Several of his Occasional Sermons were printed; and, in 1837, Williams College conferred on him the degree of Doctor of Divinity.

It is, however, more especially our province to notice Doctor Field's career as a writer of American History. He was always very much interested in historical pursuits, particularly in the little details relating to Towns and Churches, and in the individual history of the distinguished men of his section of the Country. He was a member of the Historical Society of Connecticut, and some time its Vice President; and he was a Corresponding Member of the Massachusetts and Pennsylvania Historical Societies.

In 1819, he published, at Middletown, through the Connecticut Academy of Arts and Sciences, *A Statistical Account of the County of Middlesex in Connecticut*. It forms an octavo of One hundred and fifty-four pages; and embraces not only a general survey of the County, but a separate statistical account of each Town; closing with a series of Notes, containing a detailed list of the different County officers, including those who had served in the different Counties to which the several Towns had belonged, previous to the organization of Middlesex County; the Census of the several Towns, in 1756, 1774, and 1810; a detailed statement of the shipping owned in the several Towns, in December, 1815; an enumeration of the mills in each Town; of the dates of the introduction of Carriages and the number then used therein; of the Vessels launched therein, in 1815; of the different Turnpike roads, their routes, dates of grants, and capitals; of the several Post-offices and postroads; of the Ferries; of the Meeting-houses in each Town, with the date of erection and size of each; of the ecclesiastical connections of the inhabitants of each Town; of the dates of settlement and organization of the several Towns; of the formation of the Churches therein, and of their membership in April, 1818; of the different Ministers who had been settled in the several Towns, from the beginning, the places of their respective births and education, dates of their settlements, communicants admitted by each, dates of their respective deaths or dismissions, and their ages; of the Deacons in the several Towns, from the beginning, the dates of their respective elections and deaths, and their ages; of the Salaries paid to the Ministers in each Town; of the several Church-funds and Schools therein; of the deaths in each Town from the first of January, 1805, until the first of January, 1815; of the different Grave-yards in the County, and the dates of their respective improvements; of the several Libraries in the County, the dates of

their organization, and the number of volumes contained therein; the Lists of the different Parishes and number of dwellings in each; and the Military organizations within the County.

The labor spent in collecting this vast mass of statistics was necessarily very great; yet there are very few works of a similar character which will compare with it for completeness or practical usefulness.

In June, 1826, the Berkshire Association of Congregational Ministers, at its Session in Stockbridge, took measures to secure "the printing and circulation of a History of the County"; and requested Mr. Field to collect and prepare the material for it. He seems to have entered on the discharge of that duty with judicious zeal; and within three years he completed the undertaking. The chapters which were written by other gentlemen were revised and very often extended; that relating to the County at large was written "by the Committee," so far as related to the Aboriginal inhabitants; its settlement by the whites; the Revolutionary War; the insurrection under Shay; the Judiciary; and revivals of religion; and the Statistical Tables mostly came from the same source. The Chapter relating to the Town of Stockbridge, extending to Thirty-eight pages and embracing a synopsis of its history as well as a description of the physical structure of its territory, and the short Chapter relating to the Town of West Stockbridge, extending only to Four pages, were written by him and bear his name.

The volume, thus "prepared" by Mr. Field, was printed and published at Pittsfield in 1829. It is a duodecimo of Four hundred and sixty-eight pages, and bears the title of *A History of the County of Berkshire, Massachusetts; in two parts. The First being a General view of the County; the Second, an account of the several Towns.* By Gentlemen in the County, Clergymen and Laymen. Pittsfield; Printed by Samuel W. Bush. 1829. Although scarce, this volume is not so rare as to be unknown to the greater number of students and collectors. It is found, therefore, in every well-appointed Historical Library; and it is justly regarded as a very excellent local history and an authority on the subjects of which it treats.

During the years 1834 and 1835, Mr. Field published, in *The Pittsfield Sun*, a series of letters concerning the History of that Town; and in 1844 he collected those letters and, with considerable additions, re-published them through Case, Tiffany, and Burnham, of Hartford, Connecticut, in an octavo volume of Eighty pages, bearing the title of *A History of the Town of Pittsfield, in Berkshire County, Mass. With a Map of the County.* By Rev. David D. Field, Formerly Pastor of the Congregational Church in Stockbridge.

This volume extended the History of Pittsfield until the date of publication; and, like other works from its Author's pen, it is crowded with statistics, biographical memoirs of prominent members of the Town, etc. It has become quite scarce; and we know of no public library, in this vicinity, in which a copy can be found.

In the summer of 1850 a Committee of the Town of Middletown, in Connecticut, invited Doctor Field to deliver the Address on the Second Centennial Anniversary of the settlement of that Town; and he accepted the call. His health was so infirm, from a long and distressing rheumatic affection, however, that it became necessary to postpone the Celebration; and it was not until the thirteenth of November of that year that he had so far recovered that he was enabled to discharge the duties assigned to him.

The Address which Doctor Field delivered on that occasion, was printed, in 1853, by William B. Casey of Middletown, Connecticut, with the title of *Centennial Address, by David D. Field, D.D. With Historical Sketches of Cromwell, Portland, Chatham, Middle-Haddam, Middletown and its Parishes.* It is a large duodecimo of Two hundred and ninety-six pages; and of these, Mr. Field's Address occupies Ninety-six, and his "Notes," One hundred and sixty-two.

Like his previously published historical works, this bears evidence of his patient industry and practical common-sense. His *Address* is a stern Historical production, without any other ornament than its evident fidelity to Truth; and his *Notes* teem with facts on every conceivable historical subject, relating to Middletown and its vicinity. The original Indian conveyances; the origin of the early settlers of the Town; the Towns, and the Societies within the Towns; the Ecclesiastical and Civil organizations; the means of education; the resident physicians, lawyers, etc., are all elaborately presented; and nothing seems to have been left unnoticed and unwritten.

In October, 1851, Doctor Field addressed two letters to Doctor Sprague—one relating to the character of Rev. Jonathan Todd of East Guilford, Connecticut; the other to that of his Classmate, Rev. Roswell Randall Swan,—in which he contributed to the Biography of America; and they were printed in *The Annals of the American Pulpit*, the former in Volume I., page 384; the latter in Volume II., page 487. He also contributed a memoir of Rev. John Brainard to Volume III., page 149 of the same work.

In 1857, through John F. Trow, New York, Doctor Field published *The Genealogy of the Brainerd family in the United States, with numerous sketches of individuals.*

This volume is an octavo of Three hundred and three pages; and is illustrated with Six



portraits. It contains a memoir of Rev. David Brainerd's life, extending over Forty pages, together with several extracts from J. G. C. Brainerd's poetry, memoirs, more or less complete, of the different persons referred to, etc.; but it does not seem to have been as well received as the Doctor's Historical works had been; and by those who are best qualified to judge of its merits, its venerable Author was less successful in this instance than in those which had preceded it. Indeed, in the words of an accomplished Librarian in a neighboring city, to whom we are indebted for this description of it, this volume "is not a model Genealogy, since it has neither Chapters, Generations, nor an Index."

In 1842, by a formal vote of the surviving members, Doctor Field was invited to act as the Historian of his Class; and in pursuance thereof he "gathered up such reminiscences as he could," and, in 1863, printed, for private distribution only, his *Brief Memoirs of the Members of the Class graduated at Yale College in September, 1802.*

It is a very handsomely printed octavo of One hundred and twenty-seven pages; and contains an "Introductory" of Eight pages, in which a General sketch of the Class is presented, followed by "Brief Memoirs of the Class"—those of members who had deceased being arranged in the chronological order of their several deaths, followed by those of members who were living, in alphabetical order.

The same unwearied painstaking which was so strikingly exhibited in the Doctor's other works were everywhere apparent in this; and the diligence with which he seems to have pursued his inquiries, concerning even the small details of his several subjects, is truly surprising.

We are not aware that Doctor Field was engaged in any literary labor after the completion of this History of his Class; he seems rather to have passed the evening of his days in that retirement which he had earned so well and which was so peculiarly appropriate for a student and a Divine. In the midst of his family and rewarded with the knowledge of his children's widely recognized respectability in their several professions and connections, when his work was finished, as already stated, he calmly surrendered his spirit into the hands of Him from whom he had received it, and his body to the Mother earth, within that Berkshire which he loved so well.

MORRISANIA, 1867.

H. B. D.

## VI.—THE RECORDS OF THE CITY OF NEW AMSTERDAM—CONTINUED.

### IN COMMON COUNCIL.

*Resolved*, That permission is hereby given to Henry B. Dawson, Editor of THE HISTORICAL MAGAZINE, to make copies of and to publish in that work, from time to time, such por-

tions of the ancient Records of this Corporation and such of its papers on file as, in his opinion, shall serve to illustrate the early history of this State and City, and the character and habits of the inhabitants, provided the same shall be done under the direction and supervision of the Clerk of the Common Council; and that the said Records shall not be removed from the Clerk's Office.

Adopted by the Board of Aldermen, December 6, 1866.

Adopted by the Board of Councilmen, December 10, 1866.

Approved by His Honor the Mayor, December 13, 1866.

D. T. VALENTINE,

Clerk of the Common Council.

## PART II.

### REGISTER OF THE BURGOMASTERS AND SCHEP-ENS OF THE CITY OF NEW AMSTERDAM IN THE PROVINCE OF NEW NETHERLAND.

#### PREFATORY NOTE.

The student of the early history of New Netherland need not be told that the Colonists, like others similarly situated, grew more and more impatient of the control to which they were subjected as their worldly prosperity made them more and more independent of Fatherland. That they gradually became more determined in their opposition to the Colonial Government is matter of History; and that, especially in the growing settlement at New Amsterdam, whose prosperity was more rapid and better defined, they resolutely demanded all the rights of free men, is clearly set forth in the records of the Colony, and in the more general memorials of the times.

As early as 1645, it was found necessary to yield to the several settlements an appearance, at least, of self-government; and their representatives, in joint session, it was thought, might most properly consult together and provide for the general concerns of the country, including its Indian relations, its intercourse with the English and French settlements, "the maintenance of free privileges, the correction of abuses, and the upholding of the statutes and the laws." One after another, therefore, the out settlements extended their local privileges; and Breukelen, Amersfoort, Gravezande, Vlissingen, and other country towns, rejoiced in their local Magistracies and in a semblance, at least, of popular government, long before New Amsterdam, the seat of the Colonial Government, was allowed to control her own affairs or even to appoint her own Magistracy. Even Stuyvesant, who was a soldier and delighted in authority, was not anxious to extend the power of the Commonalty, delighting rather in a law abiding, orderly, and obedient people, than in one which should be vested with its original governmental authority; and his entire policy, therefore, like that of his predecessors in authority, was based on the assumption that it was the imperative duty of a people to obey, rather than on the great fundamental truth that it was its inalienable right to govern itself.

In this struggle—for there was a struggle between the two systems, as represented, respectively, by the Governor and the Commonalty—as may be very well supposed, there were great odds in favor of those who possessed the power and desired to retain it; but those who possessed the original right and were anxious to secure the legal authority, "the under dog in the fight," were steady, well-informed, discreet, and unyielding; and their success was as honorable to them as it was useful to the country.

"The Nine Men," founded on the system then existing in Holland, and conceded to the Commonalty in 1647, were the first fruits of this popular contest with the centralized power which was seated in Fort Amsterdam; and, as the earliest of the Charters of this great Community, the instrument itself may properly find a place in this connection. It is as follows:

"WHEREAS, We desire nothing more than that the government of New Netherland, entrusted to our care, and principally New Amsterdam, our capital and residence, might continue and increase in good order, justice, police, population, prosperity and mutual harmony, and be provided with strong fortifications, a church, a school, trading place, harbor and similar highly necessary public edifices and improvements, for which end We are desirous of obtaining the assistance of our whole Commonalty, as nothing is

"better adapted to promote their own welfare and comfort, and as such is required in every well regulated Government. Being unwilling, however, to vex and harass our dear vassals and subjects in any way by exactions, impositions and insufferable burdeaus, but rather in a more desirable manner to induce and solicit them to assist voluntarily in such honest and high y necessary works:—And WHEREAS it is difficult to cover so many heads with a single cap, or to reduce so many different opituous to one, so did We, heretofore, with the advice of our Council, propose to the Commonalty that the inhabitants should, without passion or envy, nominate a double number of persons from the most notable, reasonable, honest and respectable of our subjects, from whom we might select a single number of NINE MEN to them best known, to confer with us and our Council, as their Tribunes, on all means to promote the welfare of the Commonalty, as well as that of the country; WHEREFORE, a double number of our good and loyal subjects having been, consequently, proposed, We, with our Council, select from said nomination, Nine Men, to wit:—From the Merchants, AUGUSTINE HEERMANS, ARNOLDUS, VAN HARDENBURG GOVERT LOOCKERMANS: from the Citizens, JAN JANSEN DAM, JACOB WOLPERTSEN, [Van Couwenhoven] HENDRIK KIP; from the Farmers, MICHEL JANSEN, JAN EVERTSEN BOUT, THOMAS HALL as Interlocutors in behalf of the Commonalty, who having sworn before Us and Our Council, to conduct themselves reasonably and be faithful to their instructions, have been confirmed in their office on the following conditions:

"I. As good and faithful Interlocutors and Trustees of the Commonalty, they shall endeavor to exert themselves to promote the honor of God, and the welfare of our dear Fatherland, to the best advantage of the Company, and the prosperity of Our good citizens; to the preservation of the pure Reformed Religion as it here, and in the Churches of the Netherlands, is inculcated.

"II. They shall not assist at any private Conventions or Meetings, much less patronize such like deliberations and resolves, except with the special knowledge and advice of the Honorable Director-general and his Council, and his special order, unless only when they are convened in a legitimate manner, and have received the proposals of the Director-general and Council, then they have liberty to delay so that they may consult together upon such proposals, and then bring forward their advice; Provided that it remains always in the power of the Director-general either to assist at such a meeting in person, or to appoint one of the Council to act as President of such meeting, to second and support such proposals, collect the votes, and make a report of the result to the Council.

"III. WHEREAS, by increased population, the number of lawsuits and late, cautious unavowably are multiplied, and many trifling questions may be terminated by arbitrators: otherwise, important affairs must be postponed to the great prejudice of this city and its inhabitants, and at the price of enormous expenses, loss of time and vexation of the contending parties; therefore, three out of the number now chosen shall once in each week, namely, on every THURSDAY, on the usual Court day, be admitted to Our council, as long as civil cases are before the Court, to become acquainted with cases where parties might be referred to them as arbitrators; to wit: one from the Merchants; one from the Citizens; and one from the Farmers. This shall circulate in rotation among them every month, and in case any one cannot attend Court, by reason of sickness or otherwise, another member of the same Class shall then take his place, when parties shall be referred by the Director to them as arbitrators, to whose decision parties shall be obliged to submit, or by unwillingness pay for the first time One Pound Flemish, before the Plaintiff can appeal or be admitted to Our Council.

"IV. The number of Nine chosen Men shall continue until lawfully repealed, provided that annually Six leave their seats, and from the most notable citizens, again Twelve be nominated, who, with the Nine assembled shall be communicated to Us, without Our being required to call in future the whole Commonalty together. This meeting shall take place, after next New Year's day, on the last of December annually.

"Done in Council this 25th day of September, 1647.

"(Signed.)

"P. STUYVESANT, BRIAN NUTON,

"L. VAN DINCLAGE, A. KEYSER,

"LA MONTAGNE, P. LEENDERTS. VAN DER GRIST."

The Board, thus organized, was soon after called upon by

the Director general to consider the character of the buildings erected in New Amsterdam and to provide measures for the prevention of fires; to consider the wants of the children and to provide for their education; to consider the spiritual wants of all the inhabitants and to complete the unfinished Church edifice; to consider the exposed condition of the city and to provide for the repair of the Fort, etc.; and it was called, in company with the Nine Men from the other settlements, to deliberate with the Director-general on various other important subjects. It took care, also, at a very early day, to take measures to suppress certain abuses in trade; and before the close of the first year of its existence, it moved for a redress of long-standing grievances, and assumed the leadership of the popular party in its struggle for the rights of the Commonalty.

Of the elaborate details of that contest we cannot make any particular mention in this brief Note; and it will be sufficient, therefore, to remark that both directly, in New Amsterdam, and through its accredited representatives before the States General, at the Hague, it boldly grappled with the Director-general and the Privileged West India Company which he represented, fearlessly exposed and brought before the Home Government the abuses to which the Commonalty in New Netherland was subjected by its rulers; asserted intelligently the rights which belonged to that Commonalty; and clearly and consistently presented and urged the adoption of a more judicious system of Government.

On the twenty-sixth of July, 1649, the Commonalty's Memorial was addressed to the States General, by its Representatives, in which "unsuitable Government" was presented as the principal cause of the want of success which attended the Colonial enterprise; and a "suitable Municipal Government," such as Your High Mightinesses shall consider adapted to this Province, and somewhat resembling the laudable Government of our Fatherland," was solicited among the principal remedies. In some *Additional Observations* on this Petition, bearing the same date, the Memorialists describe their meaning concerning "a suitable Municipal Government" by describing it as "In form of a State," and by a description of the Town-governments of New England, between which and that referred to by them, they said there was "fundamentally a similarity."

On the thirtieth of October, following, this Memorial was presented to the States General, at the Hague, by the Committee from the Nine Men of New Amsterdam—Messrs. VAN DER DOCK, VAN COUWENHOVEN, and BOUT—when it was referred to the States General's Committee on West India affairs, of which M. VAN AERTZBERGEN was the Chairman. That body, after having spent several months in conference with the Delegation from America and with the Directors who were specially delegated for that purpose by the Chamber at Amsterdam and others of the Privileged West India Company, reported to their High Mightinesses, on the eleventh of April, 1650, what was termed a *Provisional Order respecting the Government, Preservation, and Peopling of New Netherland*, in which were noticed the various subjects of trade, existing abuses, malfeasance in office, military affairs, ecclesiastical concerns, reveuues, the public lands, the government of New Amsterdam, etc., which had given so much uneasiness and so much retarded the prosperity of the Colony. At the same time was presented to the States General, by the Chamber of the West India Company at Amsterdam, a series of *Remarks* on this Report and on the several Sections of the proposed *Provisional Order* which it embraced; and it is not improbable that in these *Remarks* the Chamber presented the well-matured objections of all the Chambers of the Company.

It will not be necessary for the purpose of this Note to take notice of any portion of this Report of the States General's Committee, nor of its proposed *Provisional Order*, except Articles 17 and 18, which provided for the "establishment" within three years, "within the city of New Amsterdam, of a Municipal Government, consisting of one Sheriff, two Burgomasters, and five Schepens," and for the continuance in office, "three years longer," and with increased authority, of "the Nine Selectmen" of New Amsterdam, who were then its nominal magistrates, which was the first appearance, we believe, of that form of Government in connection with the city of New Amsterdam.

Against all these features of the Report and against both these Articles of the proposed *Provisional Order*, save only that portion which proposed an increase of the judicial authority of the Nine Men, the Chambers of the West India Company offered no objections whatever; although the objections which



they raised against other portions of that proposition were most decided and unequivocal. Accordingly, when Mr. Van Aertzen, three days afterward, called up his *Report* and proposed *Provisional Order*, the States General sent the latter back to the Committee which had reported it, for further consideration; and on the twenty-eight of May, the united Chambers of the Privileged West India Company interposed against its adoption by the States General, a second formal Memorial or Remonstrance.

In the meantime, the Committee of the States General had allowed the *Provisional Order* to be copied and sent to the Nine Seecuten in New Amsterdam, where it arrived on the twenty-eight of June, 1650, and on the thirteenth of September following, the latter became impatient and earnestly petitioned for its adoption; and three months later [December 22, 1650] the Board renewed its earnest prayer for relief.

For some reason which is not now known, Mr. van der Donck, the agent of the Nine Men of New Amsterdam, did not present this second Memorial to the States General, until the tenth of February, 1652, when it was referred, with the papers which accompanied it, to a Committee, of which Mr. VAN DER CAPELLEN, the KESSEL was the Chairman, for consideration and report.

Six days after, on the sixteenth of February, 1652, the Committee reported on the various subjects embraced in the Nine Men's Memorial; but it would be foreign to the purpose of this Note to refer to any other portion of that Report than its Fifth Section, relating to the Memorialists' "Request that the Report" "on the *Provisional Order* of Government, drawn up by Mr. Aertzen in the presence of the Directors," and presented to the States General on the eleventh of April, 1650, "may be converted into a Resolution." On this subject—which had been sent back to Mr. Aertzen's Committee on West India affairs, on the fourteenth of April, 1650, nearly two years before, and allowed to sleep the sleep of death—Mr. van der Capellen recommended that the "opinions" of the Provinces of the Confederacy should be "requested"; and that the "considerations thereon" of the respective Chambers of the West India Company should be also "ordered."

The recommendation of the Committee seems to have been adopted by their High Mightinesses; and, although we have not found the opinions of the several Provinces, we have the answers of the five Chambers of the West India Company—that of Amsterdam supposing the subject had been disposed of nearly two years before, and asking the States General to suspend all action on it for the present; that of Dordrecht, favoring the Memorialists, and urging their High Mightinesses to proceed; that of Middelburgh looking in the same direction; and that of Delft referring to the former action of the Chambers, and favoring delay; and that of Groningen sustaining the action of the Chamber of Amsterdam. The consequence of all this was, as might have been expected, the prayer of the Nine Men was again unsuccessful.

The energetic and intelligent Agent of the Commonalty of New Amsterdam, who was watching its interests before the States General, at the Hague, anxiously witnessed the triumph of the Amsterdam Chamber in the failure of the Colonists' last attempt to secure a redress of their grievances and a guarantee of their political rights from the common Sovereign of all, both the oppressors and the oppressed; and "wholly disheartened" and "cast down," he immediately prepared to return to America. Before doing so, however, on the twenty-fourth of May, 1652, he addressed another Memorial, in the name of his constituents, praying the States General to determine whether or not that body had legal jurisdiction over the affairs of New Netherlands, and whether or not the Memorialists had acted legally when they petitioned their High Mightinesses for relief from their oppressors, giving as a reason for this last Memorial the necessity which existed for an immediate appeal to the proper quarter, wherever it was, in order, "if possible, to arrest and prevent their utter ruin."

The several Provinces of the Confederacy immediately requested copies of this last Memorial, and copies were sent, also, as usual, to the several Chambers of the Privileged West India Company: the Chamber at Amsterdam, as usual, resisted every effort to secure the action of the States General, on the subject; and, once more, the Nine Men of New Amsterdam were overpowered by those whom they considered as their oppressors.

It is proper to remark, however, that in this complicated struggle of parties in New Amsterdam, although the application for a Municipal form of Government for that city was one of the subjects which were repeatedly brought before the Home Government by the popular party, it was as often unsuccessful, not because of the opposition of any one to that particular

measure, but because it was invariably coupled with other measures which were entirely obnoxious, and all, agreeable and disagreeable, were necessarily carried down together. It was a bold stroke of partisanship, therefore, and one which entitles Director-general Stuyvesant to much credit as a politician, which led him to "propose" to the Directors of the Privileged West India Company the disarming of the opposition, to some extent, by the concession to the antagonistic Commonalty of New Amsterdam, of a Municipal form of Government, to be fashioned after that established in the ancient city of Amsterdam, in Flanders; and the Directors wisely listened to his advice, and thus conveyed to him, by letter dated the fourth of April, 1652, the welcome intelligence of the voluntary extension of the political privileges of the Colonists residing here:

"We have hereby resolved upon your proposal, in order to "stop the mouth of all the world, to allow a Bench of Justice "to be established there, formed, as much as possible, according to the Custom of this city, to which end, herewith, go "printed copies respecting all the Courts of Judicature and "the whole Government, and we are of opinion that it will be "sufficient at first to choose one Schout, two Burgomasters "and five Schepens, for the reason that all judgments shall "be appealable to the Supreme Council in order that definitive "sentence may be decreed there. In the selection of the "aforesaid persons, particular attention must be paid to honest and respectable individuals who, we hope, can be found "among the citizens; and especially we will have promoted "to such offices, as much as possible, persons of this Nation. "That, we think, will afford the greatest satisfaction to the "Citizens and inhabitants."

The character of this concession by the acting Sovereign of the Colony—for the States General appear to have acquiesced in the pretensions of the Company, in like manner that the English Government was supplanted by the Company in the Massachusetts Colony—is, fortunately, not a matter of doubt; and from this basis has arisen the great superstructure which, with modifications and additions, from time to time made, forms, to-day, the Corporation which is known in law as THE MAYOR, ALDERMEN, and COMMONALTY OF THE CITY OF NEW YORK.

The Schout, or Sheriff, was, also, the public prosecutor and the executioner of the Court's decrees.

The Burgomasters, in addition to their Legislative duties, were the principal officers of the Church, the Guardians of Widows and Orphans, the Overseers of the Poor, the Trustees of the City's property, and the Supervisors of the City's Excise. Their consent was necessary to make legal any instrument which should be executed by females or minors; no distress could be levied except in the presence of one of them; and no capital penalty could be pronounced on a Burgher, except with their consent, nor be executed, except in their presence. They were the guardians of the public peace, and controlled, for that purpose, the military power; and it was their duty to quell riots. They were the custodians of the City's Seal; in their name were all public instruments drawn; and, in conjunction with those who had previously held the office, they appointed their own successors. They attended, personally, in rotation, to the business of the City; and for the manner in which that business was transacted the sitting member was accountable only to his associates in that office and those who had previously served as Burgomasters, in joint session—THE LATEN, in law, knew NO SUPERIOR AUTHORITY, although the bayonet sometimes usurped it.

The Schepens were to be appointed by the representative of the Sovereign, on the nomination by the College; and beside their duties as Legislators, they formed the Judiciary of the City. They possessed Judicial authority, both in Civil and Criminal cases, to a very wide extent; they appointed Curators or Executors to vacant estates; their consent was necessary for the sale of the property of minors, for the issue of Injunctions, for the burial of strangers dying in the City, and for the construction of temporary buildings. They certified the acknowledgement of Deeds, Bonds, etc.; and they were, also, arbitrators between Burghers.

The Schout, Burgomasters, and Schepens, collectively, formed what was known as a "College;" and in this College, by virtue of this concession, was vested the sole authority to make all necessary Ordinances for the government of the City; and of that necessity the College was the sole judge.

It is not the province of this Note to present to the Reader the arbitrary and illegal usurpation, by the Director-general, who was an old soldier, of some of the undoubted prerogatives of the Schout, Burgomasters, and Schepens, which were thus vested in them, and of some of the franchises which were thus

conceded to the City by the Company; nor shall we attempt to seek a motive for those usurpations, since the fondness of that class of rulers to disregard the written law when it conflicts with its tastes or interferes with its private interests is well known. It is sufficient for our purpose to indicate that such a system of usurpation has existed from the beginning of the City's existence; that its officers have successively, from the beginning, been struggling with the central authorities for the possession of undoubted Rights and Properties belonging, legally, to the Municipality; and that, sometimes by dint of argument and sometimes by re-purchase, they have, from time to time, recovered some portions of those disputed Privileges and Properties, which had been previously withheld or wrested from them.

At length, on the feast of Candlemas, [February 2, 1653.] which was also the beginning of the Municipal year in the Mother City of Amsterdam, after which the new City was to be fashioned, the Director-general issued a Proclamation by which he organized the new Municipality by appointing for the *Commonly whose Right it was* to "elect" them. ARENT VAN HATTEN and MARTIN CRIGIER, as its Burgomasters; PAULUS LEENDERTSEN VAN DER GRIST, MAXIMILIAN VAN GHEEL, ALLARD ANTHONY, WILHELMUS BEECKMAN, and PIETER WOLFERTSEN VAN COUVENHOVEN as its Schepens; and the Company's Fiscal, the notorious CORNELIS VAN TIENHOVEN, as its Schout—he had previously [January 27, 1653] invaded the Prerogatives of the projected College, by appointing one of his favorites, JACOB KIP, as its Secretary or Clerk, and by fixing his salary—privilege, which, after the practice in Friesland, had already been conceded by Stuyvesant's masters, to the College itself. Four days afterward on the sixth of February, the College, thus illegally constituted, held its first Session; and from that day to the present, with the exception of the eventful period, from the summer of 1776 until the close of 1783, when the City was governed by Martial Law, the Government thus originally organized, with here and there a change of style and form, has continued in unbroken succession, at the head of the principal City of the Colony, Province, and State, under as many Nationalities.

The Minutes, or "Register" of the Sessions of this newly-organized College have never been printed; but, by permission of the existing Municipal authorities, it is now our privilege to introduce them to the World of Letters, through the successive numbers of THE HISTORICAL MAGAZINE, and to add thereto such illustrative Notes as we shall suppose will add to their interest and usefulness.

Like the Record of the Orders of the Director-general and Council, which have preceded them, these Minutes of the Schout, Burgomasters, and Schepens of the City, will be copied from the Translations which have been made from the Originals, by order of the Common Council; and the pages of each series of volumes—the Originals and the Translations—will be carefully noted in their proper places, in the Text, in order that Students may correctly refer to their contents without a personal examination.

Morrisania, 1867.

H. B. D.

## REGISTER.

[*Original, not paged; Translation, 105-107.*]

### PRAYER BEFORE MEETING.

O! God of Gods and Lord of Lords, and Heavenly and Merciful Father, we thank Thee that Thou hast not only created us in Thine own image, but that Thou received us as Thy Children and Guests, when we were lost.

And, in addition to all this, it has pleased Thee to place us in the Government of Thy people in this place.

O! Lord our God, we, Thy wretched creatures, acknowledge that we are not worthy of this honor, and that we have neither strength nor sufficiency to discharge the trust committed to us, except Thou vouchsafe to us Thy assistance.

We beseech thee, Oh! Fountain of all good

gifts, qualify us by Thy grace, that we may, with fidelity and righteousness, serve in our respective offices. To this end, enlighten our darkened understandings that we may be able to distinguish the right from the wrong, the truth from falsehood; and that we may give pure and uncorrupted decisions, having an eye upon [106] Thy Word, as a sure guide, giving to the simple, wisdom and knowledge. Let Thy Law be a light unto our feet and a light unto our paths, so that we may never turn away from the path of righteousness. Deeply impress on all our minds that we are accountable, not to man but unto God, who seeth and heareth all things. Let all respect of persons be far removed from us, that we may award justice unto the rich and the poor, unto friends and enemies, to residents and to strangers, according to the law of Truth; and that not one of us may in any instance swerve therefrom. And since gifts do blind the eyes of the wise and destroy the heart, therefore keep our hearts in judgment. Grant unto us, also, that we may not rashly prejudge any one without a hearing; but that we patiently hear the parties, and give them time and opportunity for defending themselves; in all things looking up to Thee and to Thy Word, for counsel and direction. Graciously incline our hearts that we may exercise the power which Thou hast given to us, to the general good of the Community, to the maintenance of the Churches; that we may be a praise to them that do well and a terror to evil-doers.

Incline, also, the hearts of the subjects unto due obedience; so that through their respect and obedience our burdens may be made the lighter.

Thou knowest, Oh Lord! that the [107] wicked and the ungodly do generally contemn and transgress Thine Ordinances; wherefore clothe us with strength, courage, fortitude, and promptitude; that we may with all due earnestness and zeal, be steadfast unto the death against all sins and misdemeanors.

Oh! good and gracious God, command Thy blessing upon all our resolutions, that they may be rendered effectual and redound to the honor of Thy great and holy name, to the greatest good of the trusts committed to us, and to our salvation.

Hear and answer us, Oh! Gracious God, in these our petitions and in all that Thou seest we need, through the merits of Jesus Christ Thy beloved Son, in whose name we thus conclude our Prayer: "Our Father, who art in Heaven, hallowed be Thy name; Thy kingdom come; Thy will be done in earth as it is done in heaven; give us this day our daily bread, and forgive us our debts as we forgive our debtors; and lead us not into temptation, but deliver us from evil, for Thine is the kingdom, and the power, and the glory, for ever. Amen."



[Original, not paged; Translation, 109.]

On Thursday, the 6th February, 1653, [at Fort Amsterdam,?] were Present, Paulus Leendertse Van der Grist, Maximilian Van Gheel, Allard Anthony, Wilhelm: Beekman, and Peter Wolfertsen.

The Noble Burgomasters and Schepens of the City of New Amsterdam do hereby give public notice that they will hold their ordinary sessions, (in the building heretofore called the State-house but, for the present, the City-hall,)\* on Monday mornings, at nine of the clock, for the purpose of hearing and determining all disputes and differences between parties, as far as it may be practicable. Whereunto let all and every one take notice.

Thus done in Session, this 6th February, 1653, at New Amsterdam, and underwritten:

MARTIN CRIGIER,†  
PAULUS LEENDERTSE VAN DER GRIST‡  
WILH: BEECKMAN,§  
PIETER WOLVERSEN,||  
MAXIMILIANUS VAN GHEEL,¶  
ALLARD ANTHONY,\*

\* "THE STATE HOUSE, but, for the present, THE CITY-HALL." This edifice, which stood on the upper side of Pearl street, opposite Coenties slip, was originally the City Tavern. It was converted to Municipal uses in 1654; and in 1699 it was sold to John Rodman.

An interesting sketch of the history of this celebrated structure, from the pen of George Henry Moore, Esq., the accomplished Librarian of the New York Historical Society, will be found in THE HISTORICAL MAGAZINE, First Series, x., pp. 73, 74; and a picture of it is in the first volume of the *Memoirs of the Long Island Historical Society*.—H. B. D.

† Vide page 37, ante.

‡ Vide page 36, ante.

WILHELMUS BEECKMAN was born at Hasselt, in Overijssel, in 1623; served the West India Company on board *The Princess*; settled as a Merchant in New Amsterdam, in 1647; was married to Catalina de Borghs, a native of Amsterdam, on the fifth of September, 1649; was appointed Lieutenant of the Burgher Corps, in 1651, one of the Schepens of New Amsterdam, when that City was incorporated, in February, 1653; in which office he was continued in 1654, 1656, 1657, and 1673; Commissary of South River, in July, 1658; Vice Director of the same Colony, in October, 1658; Commissary at Esopus, in July, 1664; Burgomaster of New Orange, in 1674; and Alderman of New York, in 1679, 1680, 1682, and 1685; and Alderman of the East Ward of the city, from 1691 until 1695; and died in 1707, aged eighty-four years, leaving six children—Marie, wife of Nicholas Wm. Stuyvesant; Hendrick; Gerardus; Cornelia; Johannes. and Jacobus.

He was engaged in business as a Brewer, as the successor of Thomas Hall, in Smit's Vly (Pearl) near Beekman street, "where William and Beekman streets still bear his name;" and his descendants, widely scattered over the country, are among the most respectable and respected of its inhabitants.—H. B. D.

PIETER WOLVERSEN VAN COUWENHOVEN, a native of Amsterdam, and stepson of Wolfert Gerritsen, appears to have been a Builder as well as a Brewer; and he was a Schepen of the City, in 1653, 1654, 1658, 1659, 1661, and 1663; an Orphan Master, in 1655, 1656, 1657, 1658, 1659, and 1662; a City Surveyor, in 1655; and a Lieutenant under Martin Crygier, in the operations against the Esopus Indians in 1663.

His residence was on the North-west corner of Pearl and Whitehall streets, but, late in life, in consequence of troubles with the English conquerors and their Dutch sycophants, he left New York and settled in the Achter Col, where he became one of the earliest settlers of Elizabeth, New Jersey.

He married Hester Simons, a native of Amsterdam, on the

[Original, not paged; Translation, 110-115.]

On Monday, the 10th. February, 1653, at Fort Amsterdam, were Present, Arent Van Hattem\* and Martin Crigier, Burgomasters; Schepens Paulus Leendertse Van der Grist, Wilh: Beekman, Allard Anthony, M. Van Gheel, and Pieter Wolversen; and C. Van Tienhoven, Schout.

THOMAS STEVENTSE,† Plaintiff, vs. HENDRICK RUDIERTS,‡ a Defendant.

The Defendant [ ]

THOMAS STEVENTSE, Plaintiff, vs. CORNELIS JACOBSEN,§ Defendant.

The Plaintiff demands the payment of Fifty Stuyvers|| arising from the purchase of a house, from Pieter Braelye¶ the payment of which had been assumed by the Defendant.

The Defendant admits his indebtedness to the amount of Forty-eight Stuyvers;|| but he says

second of December, 1640; and appears to have been childless. He adopted Aeltje Petersen as his heir, on the second of January, 1642.—H. B. D.

¶ MAXIMILIANUS VAN GHEEL is said to have been a Merchant, but we have ascertained nothing whatever concerning him, except that he was the next neighbor to Annetje Bogardus, "opposite the Company's mansion," in 1633; during which year, also, he was a Schepen. H. B. D.

\* ALLARD ANTHONY, a native of Amsterdam and a Merchant, residing on the North-east corner of Whitehall and Marketfield streets, in New Amsterdam. He was one of the Nine Men of the City in 1652; a Schepen in 1653; in 1654 he was sent to Holland as the Agent of the Colony, in which he rendered effective service and received the thanks of the Government; in 1655 he was in the Colonial Council and a City Surveyor; in 1655, 1656, 1657, and 1661, he was a Burgomaster of the City; in 1655 he was one of the two Commissioners to lay out the streets of the City; from 1662 until 1665 he was the Schout; and from 1666 until 1673 he was the Sheriff.

He was married to Henrica Wessels, a native of Utrecht, on the twenty-sixth of March, 1656, and had one child, Nicholas, born January 28, 1657. He died, generally detested, in 1685.—H. B. D.

\* ARENT VAN HATTEM was a Merchant, but we have learned little concerning him beside the fact that, in 1652 he was one of "the Nine Men;" that he was sent, with Van Tienhoven, on a mission to Virginia, in 1653, during which year he was Captain of the Burgher Corps; that he was a Burgomaster in 1653 and 1654; and had some difficulty concerning his accounts.—H. B. D.

† THOMAS STEVENSON appears to have been an English farmer, residing, in his latter days, at Middleburg [Newtown] L. I.; and his frequent appeals to the Courts render his name somewhat familiar to the student of the local history of New Netherland.

He was married on the fifteenth of August, 1645, to the widow Marie Bernards; and, in 1653, he seems to have purchased, and probably lived on, the property on the bank of the East River, extending from Ferry to Catharine streets of modern times.—H. B. D.

‡ Of this person we have found no mention elsewhere.—H. B. D.

§ CORNELIS JACOBSEN was from Martensdyk; and in 1638 he leased a bouwery called Walestynse, but in the spring of 1662 he appears to have lived at the Wale Bogt.

He married Claesje Theunis, a native of Amsterdam, on the twenty-fourth of August, 1642; by whom he had four children.—H. B. D.

¶ PIETER BREYLE appears to have been engaged in trade as a Tobacconist, and he was also engaged in raising it; but beyond these facts, we believe that nothing is known of him.—H. B. D.

|| Thus are the Records, but probably intended for *Guilders*.—H. B. D.

the Skipper Lourens\* had agreed to pay Twenty-four Guilders of it.

Whereas it appears the Skipper Lourens had not paid, the verdict of the Court is that the Defendant shall pay his debt by the first of May next, without waiting any longer.

[111] JURYAN BLANCK,† Plaintiff, *vs.* HERMAN SMEEMAN,‡ Defendant.

Concerning the payment, in Beavers, for a brewing-kettle purchased by the Defendant and delivered to him, as appears by the obligation.

The Defendant admits the indebtedness and agrees to pay the same within a fortnight from this date, with which the parties are both satisfied.

SYBOUT CLASEN,§ Plaintiff, *vs.* HERMAN SMEEMAN, Defendant.

The Plaintiff demands payment for labor done for Volkert Evertse,|| whose Estate has been delivered to the Defendant as his heir, amounting to Six Beavers.

The Defendant denies that he owes anything, since the account was not brought forward in a former settlement nor spoken of until this date.

The Plaintiff is ordered to prove his demand.

HERMAN SMEEMAN, Plaintiff, *vs.* SYBOUT CLASEN, Defendant.

The Plaintiff demands payment of Thirteen Beavers, according to the verdict of the Director-general and Council, dated the seventh of October, 1652.

\* By this name, Captain LAURENS CORNELISSEN of the *Gabriel* and *The Maid of Enckhuysen* was known. (Compare *William Kieft's letter to Director Stuyvesant and the Council*, June 18 1647, with *Jochem Pietersen Kuyter and Cornelis Melyn's answer thereto*, June 22, 1647.)

He is noted in History chiefly because of his dispute with Director Kieft, which resulted in his banishment from the Colony.

† JEURIAEN BLANCK was a sea-faring man who settled here at an early day, and resided on the South side of Pearl street, between Whitehall street and the Battery.

He was a Smaller Burgher, of the date of 1657; and was residing in his old home as late as 1674. His widow, Tryntje Claes, occupied the same house in 1686.—H. B. D.

‡ HERMAN SMEEMAN, "husband of Barent Dircksen's widow," appears to have been possessed of considerable real property, and to have been a Burgher of the date of 1657; a Magistrate of Bergen in 1661; a representative of that settlement in the Convention of April 10, 1664; etc.

His wife was Elizabeth Evertse, widow of Barent Dirckse the baker, to whom he was married on the fourth of December, 1645; and his residence was on the East side of Broadway, below Wall street.—H. B. D.

§ SYBOUT CLAESSEN, a house carpenter from Hoorn, residing on the South side of Stone, near Broad street and a burgher of the city of New Amsterdam, married Susanne Jans, widow of Aert Teunissen, lessee of the bowery of Hooquon, on the twelfth of March, 1645; and he soon afterwards became famous in history in consequence of a controversy with Director Kieft and Director Stuyvesant, for the prosecution of which he visited Holland in 1649.

He was one of the lessees of the Company's sawmill on Noten (*Governor's*) Island, in 1639; lived on the South side of Hooghstraet [*Stone street*] near der Heere Graft [*Broad street*]; and died in 1679. He was a highly respectable man.—H. B. D.

|| VOLKERT EVERTSE was evidently a relative of Smeeman's wife, probably her brother; but we have been unable to ascertain, positively, the exact relation.—H. B. D.

The Burgomasters and Schepens order the payment, in conformity with the verdict referred to.

[112] ABRAM PLANCK,\* Plaintiff, *vs.* DIRCK TEUNISSEN,† Defendant.

The Plaintiff's wife appeared.

It is ordered that as the Plaintiff must always appear in his own person, if he is in the place, the Plaintiff in this action is in default.

PIETER ANDRIESEN,‡ Plaintiff, *vs.* LOURITS DUYTS,§ Defendant.

Jan Willemsen,|| appeared, offering to answer for the Defendant, but without Power of Attorney.

It is ordered that, for the reason that the parties must appear in person, the Defendant is in default.

AUKEN JANSEN,¶ Plaintiff, *vs.* THE WIFE OF

\* ABRAM PLANCK was one of the principal men in New Amsterdam, in the days of Director Kieft; a member of the Board of Twelve Men, in 1641; and one of the three who, in 1653, petitioned for and obtained permission to attack the Indians, when they were so inhumanly and basely massacred at Pavonia; but beyond the fact that he is said to have lived on Smits Vly (*Pearl street*), near what is now Beekman street, we know nothing concerning him.

There was an ABRAHAM ISAACSEN PLANCK, who was the original grantee of Paulus Hook, now Jersey City, and the progenitor of the noted family of VERPLANCK; and these different names have often been considered as belonging to the same person. In the absence of any evidence to prove this, and in view of the care with which this name is so frequently recorded, as if to distinguish the two, we have preferred to regard them as belonging to different persons.—H. B. D.

† DIRCK TEUNISSEN—sometimes called "the Norman," at others a Norwegian—resided in 1657, at Midwout (*Flatbush*) on property leased from Jan Evertsen Bout; and in 1674 he seems to have lived in Smits Vly (*Pearl street*), New York.

He appears to have possessed a bad character; and was very lightly esteemed. His wife was Adriaenje Wallich.—H. B. D.

‡ PIETER ANDRIESEN, sometime a seaman, came to the Colony, in 1639, in the *Fire of Troy*; and in company with Lawrence Duyts, the Defendant in this action, he leased some land at Morrisania from Jonas Bronck for the purpose of raising tobacco and Indian corn.

He was described by one who knew him, as "an honest, upright man;" and, in 1645, he purchased property in the rear of the public tavern in New Amsterdam, and at Newtown, on Long Island; and, in 1661, some in Wall street.

During the latter years of his life he was occupied in sweeping chimneys, having been elected a Small Burgher of the city, in 1657.—H. B. D.

§ LAWRENCE DUYTS, as already stated, came to America from Holstein, in the *Fire of Troy*, in 1639; and settled in what is now Morrisania, as a farmer, in company with Pieter Andriesen, who had crossed the ocean with him.

He was married to Ydie Janen; but led an infamous life; and, in 1658, he was banished from the Colony for the crime of adultery.

|| There seems to have been two persons bearing this name, in the Colony; and it is uncertain to which of them this entry refers.

One of these was subsequently a Councilor of New Amstel, on the South River, (*De la Cour*); and a very respectable man; the other, "Jan Willemsen van Iselsteijn, commonly called "Jan of Leyden," seems to have possessed a more questionable reputation, and was banished from the Colony, for slander, in May, 1664.—H. B. D.

¶ AUKEN JANSEN, a carpenter by trade, resided on the West side of Broadway, below the Rector street of to-day. He was the builder of the church at Midwout, (*Flatbush*), in 1660; and in 1673 and 1674 he was a Schepen of that town, in which capacity, in the latter year, he represented it, in Convention, in New Amsterdam.—H. B. D.



JURIEAN ANDRIESSEN,\* Defendant.

The Plaintiff demands the payment of Twenty-four Guilders, for work done according to account and settlement.

The Defendant answers that the Carpenter's work done by the Plaintiff is charged higher than it is worth; and for that reason he contends that he is not indebted to him.

The Burgomasters and Schepens appoint Gillis Pietersen† and Abram Clock,‡ house-carpenters, to inspect the work and to report in writing, their opinion concerning it.

[113] AUKEN JANSEN, Plaintiff, *vs.* HENDRICK GERRITSSEN,§ Defendant.

The Defendant in default.

JACOB WILLEMSSEN,|| Plaintiff, *vs.* HENDRICK GERRITSSEN, Defendant.

The Defendant in default.

HENDRICK GERRITSSEN, Plaintiff, *vs.* ROELOF JANSEN¶ and JAN GERRITSSEN,\*\* Defendants.

The Plaintiff in default.

\* JURIEAN ANDRIESSEN was a sea-faring man, in the employ of the West India Company; and, in 1638, while master of the *Cat*, of fourteen guns and a crew of fifty men, that vessel was lost on Sand/ Hook, otherwise Godyn's point, after having captured and sent in as a prize, a Spanish bark.

The name of his wife does not appear.—H. B. D.

† GILLIS PIETERSEN VAN DER GOUW son of Hendrick Jansen, was in the employ of the West India Company, as its Overseer of the Carpenters, as early as June, 1638; and on the sixth of July, 1642, he was married to Elsie Hendricks, by whom he had Eva, Pieter, Tryntje, Tryntje. 2d, Hendrick, and Maria.

He was a man of great respectability; and lived on the bank of the East River, on the Northern line of Wall street.

It is a singular illustration of the difficulties which attend the labors of the Genealogist that a few weeks after the appointment, by the Council, of Pietersen to the office of Master Carpenter, in the Company's service, another Gillis Pietersen, a boatswain of the yacht *Hope*, was sentenced by the same Council to have his name posted as a perjurer and villain, and all his wages confiscated, on a charge of desertion to the English.—H. B. D.

‡ ABRAM CLOCK was a Carpenter, engaged in business on his own account as early as 1642. He was a Small Burgher, of the date of 1657; resided at the Southwest corner of Stone and William streets; and was highly respected.

There was an ABRAHAM MARTEN CLOCK, a Carpenter, who was also a Miller, residing on the Great Highway, in 1655-6; and it is not impossible that it was the same person.—H. B. D.

§ HENDRICK GERRITSSEN was a resident of the Colony as early as 1638. He was a tailor by trade, residing next door to the celebrated Annetje Bogardus, near the Fort.

There was also a person of the same name, who was a sea-faring man, commanding the Company's vessel, the *Neptunus*, in Kieft's expedition against the Raritan; and in 1660, there was a third, a Cadet, in the military service of the Company, in New Amstel.—H. B. D.

|| Of this person we have found no mention elsewhere.—H. B. D.

¶ ROELOF JANSEN (VAN MEPPLEN) a butcher, married Geertruyd Jacobs, a widow, on the nineteenth of April, 1643, by whom he had Maryken, Jan, Jochem, Albert, Jochem, Willem, and Geertje; and lived in Bever straat [Beaver street, between Broadway and Broad street].

ROELOF JANSEN, a mason, was admitted to the Small Burghership in 1657; and in 1662, a person of this name was Collector of Excise at Flushing.

It is not known to which of these the entry refers.—H. B. D.  
\*\* JAN GERRITSSEN was married to Greetje Jans, on the last day of April, 1655; and we know nothing more of him.—H. B. D.

HENDRICK HENDRICKSEN,\* Plaintiff, *vs.* ANDRIES PIETERSEN,† Cooper, Defendant.

The Plaintiff demands the payment of Thirty-one Stuyvers: according to written obligation.

The Defendant confesses judgment.

The Burgomasters and Schepens order payment accordingly, within One month from this date.

JOOST GODERIS,‡ Plaintiff, *vs.* GULYAN D'WYS,§ Defendant.

The Plaintiff enters his complaint to the Court, that the Defendant had addressed him, saying that Joost might rather give him, the Defendant, permission to play with his, the Plaintiff's, wife, since Allard Anthony was in the habit of doing it. He demands right and justice.

The Defendant denies the charge, and demands a copy of the Complaint.

[114] It is ordered that the Plaintiff prove his Complaint and furnish the Defendant with a copy of the same, forthwith.

JOOST GODERIS, Plaintiff, *vs.* ISAAC BEDLO|| and JACOB BUYS, Defendants.

[The parties?] appeared before the Court and the Plaintiff offered to prove his Complaint, charging the Defendants in substance as follows:

FIRST: The said Joost Goderis coming from Oyster Island¶ in a canoe in company with a young man, to which island he had been for the

\* HENDRICK HENDRICKSEN, in May, 1653, bought Auke Jansen's house on the Great Highway; and in June, 1654, George Rapelje's house, in Pearl street.

He was from Middelborch; a baker by trade; and in October, 1656, he was suspended from following his business, for selling bread of a light weight.

There was another bearing this name, a Drummer in the Company's service who was admitted to the Small Burgher right in 1657.

It is probable that the entry refers to the former.—H. B. D.

† ANDRIES PIETERSEN, the Cooper, appears to have resided in the Colony as early as 1638; but we know nothing more of him.—H. B. D.

‡ JOOST GODERIS was a poor man, sometime a Porter in the City Weigh house; and his wife, the subject of this celebrated action, was Jacomyntie Wallings, to whom he was married on the first of October, 1650.

He appears to have lived in New Amstel in 1659. He had Jan, Frans, Frans, Maria, and Joris; and his son Frans lived to be at the head of a large family, in New York, many years after.

This affair occupied considerable attention; and it is creditable to the Court that the young men of high social standing, in those days, were not allowed to insult those in the lower walks of life, without being punished.—H. B. D.

§ GULYAN D'WYS, from the fact that he imported "certain goods in the *Spotted Cow*," in June, 1651, was probably engaged in trade; but we have found no further particulars concerning him.—H. B. D.

|| ISAAC BEDLO was a Merchant residing on the Hooghstraet [Stone street, between William and Broad]. In 1667, 1668, 1669, 1671, 1672, and 1673, he was an Alderman of the city; in 1668, he was Comptroller of the Customs; and he died about 1674.

He was married to Elizabeth de Potter; and had Isaac, Catalina, Pieter, Maria, and Francois.

He was the Commissary, or Agent, of Governor Lovelace; and after his death there was considerable trouble in the settlement of his estate.—H. B. D.

¶ OYSTER ISLAND, now known as Ellis's Island, in the harbor of New York.—H. B. D.

purpose of obtaining some Oysters or Crabs, met the Defendants in company with Gulyan d'Wys, Guysbert Verdonek, Jan Vingé,\* Pieter Werkhoven,† Harmanus Hartoogh,‡ and the younger Cornelius Melyn,§ when the Defendants called aloud, saying, "Joost Goderis, You are a cuck—"hold;" and immediately thereafter they sung out, "Joost Goderis ought to wear horns, as the "cattle are wont to do," etc.; and, moreover, Bedlo and Buys called out to Joost Goderis, "Allard Anthony has had your wife down." The Plaintiff also complains that at Loockman's house, on the Strand,|| after the setting of the Watch, that he had asked Bedlo why he had insulted him, whereupon he replied "You fool! "I have not said so.[115] You have said it, your—"self!" upon which Joost gave him [Bedlo] a slap, and Bedlo drawing his knife gave him [Goderis] a wound in the neck, as can be seen. He demands redress and justice.

The Defendants deny the charges and demand a copy of the same.

The Burgomasters and the Schepens order that the Plaintiff shall, on the next Court-day, prove his allegations and forthwith serve a copy thereof on the Defendants.

[Original, not paged; Translation, 115-117.]

On Monday afternoon, the 10th February, 1653. Present, A. Van Hattem, Martin Crigier, Paulus Leendertse, Wilh: Beeckman, Allard Anthony, M. Van Gheel, and Pieter Wolfersen.

By The Noble Burgomasters and Schepens of this City of New Amsterdam, in joint session, it is resolved to address the Noble Director General and Counsellors, for their consideration, the following Memorial, to wit: That, for the benefit and accommodation of the public, at the earliest opportunity, a Weigh-house shall be ordered, so that all Merchandize, without any [116]

\* JAN VINGE, son of Gulyan and Ariana [Cuilye] Vingé, was the first white male born in the Colony: step-son of Jan Jansen Damen; brother-in-law of Cornelis Van Tienhoven, Dirck Volkersen, and Abram Verplanck; and, by profession, a Brewer.

He was beaten by Peter Segersen, in 1652, and the verdict of the Court was, "well deserved the beating he got." He was a Schepen in 1655, 1656, 1661, 1663, and 1673; and a Great Burgher of the date of April, 1657. He lived in Smit's Vly [Pearl street] near Maiden lane and in Smit-sstraat [William street below Wall]; was twice married; and died, without leaving issue, in 1691, aged about Seventy seven years.—H. B. D.

† PETER VAN WERCHOVEN was a Merchant and a resident of the city and a guardian of a minor, as late as 1660; but we have no other information concerning him.—H. B. D.

‡ HARMANUS HARTOOGH seems to have been a Trader; but, beyond this fact, we have learned nothing concerning him.—H. B. D.

§ CORNELIS MELYN JUNIOR, probably a son of CORNELIS MELYN, the Patron of Staten Island.—H. B. D.

|| "LOOKMAN'S HOUSE, ON THE STRAND" On the thirteenth of May, 1649, Teunis Nyssen sold this property, "East of the "Great Highway," [Stone street] to Captain Govert Lookerman; but the exact locality is not known.—H. B. D.

exception, which shall be delivered here, shall be weighed by a person thereunto appointed; and for all parcels so weighed which shall weigh more than Fifty pounds, there shall be paid One Penning per pound, to be paid by the buyer and seller equally, or as the parties shall have agreed \*

Moreover, that on all Weights and Measures, such as Ells, Schepels, Casks, Half-barrels and Quarter-casks, and Cans, there shall be put a mark, according to the custom in Old Amsterdam.†

Moreover, that it is necessary that Orphan Masters be appointed, for which purpose, by a plurality of votes, are nominated, from the College,‡ Paulus Leenderse van der Grist and Wilhelm Beeckman, and from the Burghers, Olof Stevensen§ and Cornelis Steenwyck,|| to be ap-

\* This resolution was presented to the Director-general and Council on the eighteenth of February; and the consideration of it was postponed. *Council Minutes*, v., 101. On the twenty-fourth, the Burgomasters and Schepens, as will be seen below, renewed their petition; and two days later, (February 26th) the request was granted, as will be seen by the Order of the Director-general and Council, to that effect. *Council Minutes*, v., 103.—H. B. D.

† This request of the City Government was granted in the same Order which established the Weigh house last mentioned.—H. B. D.

‡ The joint body of Burgomasters and Schepens of the city, were thus called.—H. B. D.

§ OLOFF STEVENSEN, from Courland, came to America, a soldier in the West India Company's service in 1637; and on the first of July, 1640 he was transferred to the Civil service of the Company, and made one of its Storekeepers. In September, 1641, on his petition therefor, his salary was increased to Thirty Guilders (\$12) per month; and in 1643 it was again increased. He held this office until 1648, when he resigned and entered into private life.

He was temporarily in the Colonial Council in 1645, during which year he was, also, one of the Eight Men of the City. In 1649 and 1650 he was one of the Nine Men of New Amsterdam, and Colonel of the Burgher Corps; in 1654, a Commissioner to settle the boundary of New Gravesend, a Commissioner to superintend the fortifying of New Amsterdam, and a Schepen of the latter; in 1655, he was a Burgomaster of the City, to which office he was also called in 1656, 1658, 1659, 1660, 1662, and 1663; in 1657 he was an Orphan-master, and again in 1661; in 1660, he was again, temporarily, in the Colonial Council; in 1663, a Commissioner on Captain Scott's claim to Long Island, and one to adjust the Boundary between New Netherland and Connecticut; in 1664 one of the Commissioners to treat for the surrender of New Netherland to the English; in 1666, 1667, and 1671, an Alderman of New York.

He was a Merchant and Brewer, by profession; an opponent of Kieft and Stuyvesant, in politics; and an office bearer in the ancient Dutch church.

He was married to Anncken Louckermans, on the twenty-sixth of February, 1642; by whom he had Stephanus, who married Gertrude Schuyler; Marritje, who married Jeremias Van Rensselaer; Johannes, who died unmarried; Sytje, who married Andrew Teller; Catharina, who married, first, John D-rvall, and second, Frederic Philipse; Cornelia, who married Barent Schuyler; and Jacob, who married Eva Philipse.

He resided on Brouwer street, [Stone street below Broad]—a portion of the Great Highway of the City—and died about 1658.

He was the founder of the ancient and honorable family of VAN COURT-LANDT, since so widely known in the annals of New York.—H. B. D.

|| CORNELIS VAN STEENWYCK from Harlem, was a Merchant, residing and transacting business at the corner of Whitehall and Bridge streets.

He is first known on the records of the Colony in 1651; in 1657 he was made a Great Burgher; in 1658 and 1660, a Schepen; in



pointed by the Noble Director General and Councillors.\*

Thus done and approved, in Session, Amsterdam, this 10th. Feb. 1653, at Fort Amsterdam.

ARENT VAN HATTEM

26 53

MARTIN CRIGIER

ALLARD ANTHONY

PL VAN DER GRIST.

WILH: BEECKMAN

PIETER WOLFERTSEN

MAXIMILIANS VAN GHEEL.

Again Resolved, in the Session of the Burgomasters and Schepens, to address the before mentioned subjects to the Director General and the Councillors, and to request a written answer thereto.† Passed, this 24th February, 1653, at the City Hall in New Netherland.

[117] ARENT VAN HATTEM

26 53

MARTIN CRIGIER

PL VAN DER GRIST

WILH. BEECKMAN

PIETER WOLFERTSEN

MAXIMILIANS VAN GHEEL

ALLARD ANTHONY

[Original, not paged; Translation, 117-121.]

On Monday, the 17th February, 1653, in [Fort Amsterdam] present. A. Van Hattem and Martin Crigier, Burgomasters; Paulus Leenderse van der Griste, Allard Anthony, Willem Beeckman, Pieter Wolferssen, and M. Van Gheel, Schepens, together with [Cornelis] Van Tienhoven, Schout.

SYBOUT CLASEN,‡ Plaintiff, vs. HERMAN SMEERMAN,§ Defendant.

1651, 1652, and 1653, an Orphan Master; in 1662, 1664, and 1665 a Burgomaster; in 1664, a Provincial Agent to Holland, a Commissioner to settle the claim to Long Island of Captain John Scott, and one to treat for the surrender of the city to the English; an Alderman of the city of New York, in 1665; a Commissioner to treat for the surrender of the city to the Dutch in 1673; and one, during the same year, to administer the oath of allegiance to the inhabitants of the Eastern towns of Long Island; a member of the Colonial Council, in 1673 and 1674; an Assessor of the City, and a Commissioner to close the business of the West India Company, in New York, in 1674; and, in 1663, 1664, 1670, 1672, and 1673, he was the Mayor of the City.

He was married to Margareta de Riemers, on the eleventh of May, 1655, by whom he had Margareta, Jacob, Jacob 2d, Isaac, Cornelis, Cornelis, 2d, and Jacobus; and he died in 1674.

Mrs. Steenwyck, his widow, subsequently married Domine Henry Selwyn.—H. B. D.

\* On the twenty-sixth of February, 1653, the Director general and Council, in response to this resolution, made an Order that the Deacons, as Orphan Masters, shall have an eye to Widow and Orphans, and apply to the College, or to the Director-general and Council, for the appointment of Curators, who are to be responsible to the Burgomasters.—*Council Minutes*, v. 104.—H. B. D.

† The reason for this second action on the subjects in question, will be seen in Note \*, page 361, ante.—H. B. D.

‡ Vide page 359, ante.

§ Vide page 359, ante.

The Plaintiff demands payment of his account, as he did last Court day, bringing his account book before the Court, as evidence.

The Defendant admits that he has not paid for the Coffin.

By The Burgomasters and Schepens, it is ordered that the Plaintiff shall have given to him until the next Court day to determine if he will make oath that the debt is honest and that he has not been paid therefor, in default of which he shall be debarred from his demand.

[118] HENDRICK EGBERTSEN,\* Plaintiff, vs. HENDRICK GERRITSEN,† Defendant.

The Defendant in default.

CARSTEN CLASEN,‡ Plaintiff, vs. ISBRANT GOETHART,§ Defendant.

The Defendant in default.

ABRAM PLANCK,|| Plaintiff, vs. DIRCK TEUNISEN,¶ Defendant.

The Plaintiff states that he rented to the Defendant, a certain piece of land for the One-fourth part of the produce; but he has received only the seventh part, and requests satisfaction for the remainder. He states, also, that the Defendant had not delivered the One-fourth part of the Lime, according to verdict.\*\*

The Defendant acknowledges that he has hired the land, as stated, but he states that he has delivered to the Plaintiff, the One-fourth part of the produce, and demands proof to the contrary. He states, also, that he has measured off for the Plaintiff, the One-fourth part of the Lime, according to the verdict.††

The parties having been heard, it is ordered

\* HENDRICK EGBERTSEN purchased property, in August, 1649, from Abraham Pietersen, "North-east of the bastion of Fort Amsterdam."

Beyond this fact, and the additional one that he was a widower, we have found nothing concerning him.—H. B. D.

† Vide page 360, ante.

‡ CARSTEN CLASEN, probably intended for Claesen Carsten, a Norman, an early resident of New Amsterdam who was married to Hilleje Hendricks, on the fifteenth of April, 1646.—H. B. D.

§ ISBRANT DIRCKSEN GOETHART was evidently a Trader, but nothing more is known concerning him.—H. B. D.

|| Vide page 359, ante.

¶ Vide page 359, ante.

\*\* This was an old grievance revived before a new tribunal.

On the fifteenth of April, 1652, Planck had instituted proceedings against Teunisen, in the Court of the Nine Men of New Amsterdam, claiming that the latter had agreed to cultivate some ground and give to the former One-fourth of the produce; that, instead of doing so, he had been occupied in burning lime on the premises, without authority. The Court had decided that, under the agreement, Planck was entitled to One-fourth of the lime, and authorized him to take that portion as his share. *Council Minutes*, v. 41.

In the suit before the Burgomasters and Schepens, which is referred to in the text, for his portion of the crop of the succeeding year, Planck refers, in this place, to the verdict of the Court of Nine Men, in 1652; and our readers will perceive the precision of the Municipal Judiciary, in its decision in the case.—H. B. D.

†† The verdict of the Nine Men having "authorized" Planck "to take away the fourth part of the lime as his share," the Defendant's plea seems to have been a good one.—H. B. D.

that they respectively appear, on the next Court-day, to prove their respective allegations.

JACOB KIP,\* Plaintiff, *vs.* HENDRICK HENDRICKSEN,† Defendant.

[119] The Plaintiff demands payment of Ten bushels of Barley, or Thirty Guilders, complaining, also of the delay.

The Defendant admits the debt of Thirty Guilders.

It is ordered that he satisfy the Plaintiff within Fourteen days.

JAN PEECK,‡ Plaintiff, *vs.* JAN GERRITSEN,§ Defendant.

The Plaintiff demands the payment of G. 48.18 for his services in burying one, Jeuris Bronck,§ a soldier, who had been shot dead, for which services the Plaintiff had made himself responsible.

The Defendant admits that he was present at the time when the costs were incurred; but he contends that since he is not an heir nor has been benefitted by the Deceased, he cannot be obligated to pay for his burial.

The parties having been heard, it is the opinion of the Burgomasters and Schepens that the Defendant is not obliged to pay the claim, but the Plaintiff must seek his payment out of the effects left by the Deceased or the wages which were due to him from their High Mightinesses the Company.

JOOST GODERIS,¶ Plaintiff, *vs.* PIETER WERCKHOVEN,\*\* Defendant.

The Defendant in default.

JOOST GODERIS, Plaintiff, *vs.* GUYSBERT VER-

\* JACOB KIP, previously a Clerk in the Secretary's office and Deputy Clerk of the Province, was appointed Clerk to the Burgomasters and Schepens on the organization of the Municipal Government, which post he filled until June, 1657. In November, 1655, he was appointed Vendue Master to the Court of Orphan Masters; in 1659, 1662, 1663, 1665, 1673, and 1674 he was a Schepen of the City.

He was married to Maria de la Montagne, on the fourteenth of February, 1654; had Johannes, Jacobus, Abraham, Jesse, Rachel, Maryken, Hendrick, Benjamin, and Salomon.—H. B. D.

† Vide page 360, ante.

‡ JAN PEECK, a tavern-keeper, was a Small Burgher of April, 1657; and so well versed in the English language that, in 1656, he was appointed "Broker to the merchants of New Amsterdam."

§ He married Maria de Troix, widow of ——— Volchers, on the twentieth of February, 1651, and had Anna, Johannes, Jacobus, Maria, Johannes, 2d Gysbert, Maria, 2d, and Anna, 2d.

¶ In January, 1664 his wife was fined Five hundred Guilders and banished from the City for selling liquor to the Indians.—H. B. D.

\*\* Vide page 360, ante.

§ JEURIS BRONCK. We do not know, positively, to whom the text refers; although a soldier named Jacob Bookherst was accidentally shot by a "free booter," a short time before this trial, (*Council Minutes*, v. 64.) and it is possible that that may be the case which is here referred to.—H. B. D.

¶ Vide page 360, ante.

\*\* Vide page 361, ante.

DONCK,\* JAN VINCE,† HARMAN HARTOOGH,‡ and ANTHONY HARDENBURGH,§ each, personally, a Defendant.

The Plaintiff requests that the Defendants shall be inter[120]rogated, as the Court shall please, on the points submitted by him; which was done under the direction of the College, each person being examined in the absence of the others.

JOHANNES D'PEYSTER,|| Plaintiff, *vs.* PHILIP GALPYN,¶ Defendant,

The Plaintiff demands the restitution of the purchase-money paid by him to the Defendant for a Barrel of Mackerel, which the Plaintiff says he did not see till Seven or Eight days after the purchase in the Barque of the Defendant; and after he had received it he found it, from the middle downward, to have been spoiled. He offered to return the Mackerel.

The Defendant replies that the Plaintiff came on board to buy Mackerel; and that a Barrel having been opened and set on an end, he told the Plaintiff that he might now examine the Mackerel and take it if it suited him, or leave it—all of which the Plaintiff acknowledges to have taken place.

The Burgomasters and the Schepens having heard the Prosecution and the Defence; and, furthermore, having paid strict attention to what has been said by the respective parties, they do order that Jan d'Peyster shall pay to the Defendant what he yet owes on the Mackerel, because, after the Barrel of Mackerel had been opened, he could have examined as deep as he had a mind to, and he had purchased and received it.

With respect to the claim for Damages sustained by Defendant in being cited to appear before the Court, the Burgomasters and the [121] Schepens declare such claim to be frivolous, since the Plaintiff has proved by witnesses that he has satisfied the Defendant therefor; and the claim is, therefore, disallowed.

\* Of this person we have no information, beyond his actual residence in New Amsterdam.—H. B. D.

† Vide page 361, ante.

‡ Ibid.

§ Of this person we have no information whatever.—H. B. D.

|| JOHANNES D'PEYSTER, the founder of the family of that name in America, was a merchant residing and doing business in Winckel-straat, now clos d, and in the Heer Graft [*Broad street*] near what is now South William street.

¶ He was a Schepen in 1655, 1657, 1658 and 1662; Orphan Master in 1659 and 1660; Alderman in 1666, 1667, and 1669; Burgomaster in 1673; Alderman in 1673, 1676; and Deputy Mayor in 1677.

§ He was married to Cornelia Lubbertse, on the seventeenth of December, 1650, by whom he had Johannes, Johannes, 2d., Abraham, Maria, Isaac, Jacob, Johannes, 3d., Cornelis, and Cornelia; and died about 1686.—H. B. D.

¶ PHILIP GALPYN, evidently a skipper does not appear to have been a resident of New Amsterdam; and we have been unable to learn anything concerning him, except what appears in the text.—H. B. D.



C. VAN TIENHOVEN,\* as Schout, Plaintiff, vs. STOFFEL ELSERS,† Defendant.

The Plaintiff complains that the Defendant had compelled Adam Roelantse,‡ Timber-hewer, to go without the Fort respecting the hewing of his timber in the Church.

The Defendant denies that he forced Adam Roelantse to leave the Fort, or that he has whipped him.

The parties having been heard, the Burgomasters and Schepens decide that Stoffel Elers shall be provisionally saved from being whipped, on condition that he shall obligate himself to be ready at all times whenever he shall be cited in the premises.

By the Noble Burgomasters and Schepens, Paulus Leenderse Van der Grist and Wilhelm Beekman are appointed Commissioners to examine the witnesses of Joost Goderis and those in the case of Stoffel Elers, on the complaint of the Schout; and to report their opinions respecting the same.

## VII.—BOOKS.

### 1.—RECENT PUBLICATIONS.

1.—*A Sermon preached at Boston in New England upon a Fast day the twelfth of January, 1636.* By Mr. John Wheelwright. From Manuscripts in the possession of the Massachusetts Historical Society, first published in THE HISTORICAL MAGAZINE, for April, 1867. Morrisania, N. Y.: 1867. Octavo, pp. viii., 28.

Our readers will not fail to remember the pleasure with which we published, in a recent number of THE HISTORICAL MAGAZINE, this widely-celebrated but carefully withheld State-paper of the Massachusetts Colony; and some of them will not fail to remember the strenuous

\* CORNELIS VAN TIENHOVEN, the Schout, was an employee of the West India Company from an early date, having been from 1613—1647, its Bookkeeper; from 1634—1649, Provincial Secretary; in 1657, a City Surveyor; and in 1649, its Receiver-General. In the latter year he was sent to Holland as a Provincial Agent of the Colonial Government; in 1651, in the same capacity, to Rhode Island; and in 1656 to Virginia. From 1652 until 1656 he was the Schout Fiscal of the Colony—Sheriff and District Attorney—in 1653, he was a Commissioner to settle the affairs of the South River Colony and one to settle a dispute with Rensselaerswyck; in 1655, he was one to adjust differences with the towns on the East end of Long Island; and in 1656, one to reduce West Chester and one to settle the boundary of the town of Gravesend.

He married Rachel Vinge, a step-daughter of Jan Jansen Damen; lived on Smit's Vly [Pearl Street] above Maiden lane; and having been dismissed from office, in disgrace, he committed suicide in 1656.

He was an unprincipled man, of bad habits, and exceedingly unpopular.—H. B. D.

† STOFFEL ELSWAERT, a boat-builder residing on Smit's Vly [Pearl, above Wall street].—H. B. D.

‡ ADAM ROELANTSEN, Timber-hewer, probably the person of that name who, with his son, worked his passage from Holland on the ship *St. Jacob*, Captain Haze Jansen, in the fall of 1646.—H. B. D.

efforts which were put forth to prevent us from doing so, and the severe contest which it cost. It is one of our most cherished trophies; and we have looked at it with pride, as we have received, one after another, letters of congratulation from every part of the country; and among these, none have been read with more pleasure than those received from some of the most respected of our fellow-members of the Massachusetts Historical Society, the custodian of the manuscripts from which our copy was taken.

As it has been widely circulated and as widely commented on, we have only to record the issue of the work in this form; and to remark that the edition numbered One hundred and fifty copies, of which Fifty were on tinted, laid paper.

2.—*Bancroft's Letter to the Editors of the North American Review.* *Sine loco, sine anno.* Octavo, pp. 12.

The January number of the Review contained a notice of Professor Greene's pamphlet defence of his grandfather; and Mr. Bancroft was offended at the terms employed in that notice, concerning himself and his *History of the United States*. With very questionable judgment he addressed a letter to the Editors, charging them with "injustice to the character of Washington" and to historic truth," as well as to himself; and he followed that charge with slurs on Messrs. Lowell and Norton, by comparing their intelligence with that of Doctor Sparks, their Editorial predecessor, and by telling them "if he were "still living, and still editor of the *Review*, he "should not now be put on the defence"—as if the information possessed by the Editors of *The North American Review* has anything to do with the historian's want of knowledge concerning the subject on which he wrote, or with his want of ability either to properly understand the material, on *military* subjects, which he possesses or properly use it.

The truth is, Mr. Bancroft's *forte* is not in *Military* history; and when Mr. Bancroft shall be honest enough to tell the truth on that subject, he will tell openly how anxious he was to secure the unpublished results of the protracted labors, on the very subject of his controversy with Professor Greene and the Editors of the *Review*, of one of his professional brethren who is less widely known than himself, and that he failed only because of his habitual practice of appropriating to his own use whatever he can obtain from others, without recognizing, even by insinuation, the source of his information, when his informant does not wear a title nor hold an important public office. He will remember, also, that on this very subject he possessed information from sources which he recognized as trustworthy in his treatment of Colonel Reed—al-

though they were far less so in that than in this since *that* was hearsay and *this* direct testimony—yet *he has suppressed it when treating of General Greene*, without telling a reason for that suppression, or even hinting of the existence of the unemployed material.

The consequence of all this is, either Mr. Bancroft *did not* sufficiently understand his subject to tell such a story concerning General Greene's *military* character as a first class historian should have written, or he *did* fully understand it, but was prevented by his prejudices, or associations, or his party, from telling the entire truth concerning it. In short, he was either ignorant or professionally dishonest; and whichever of the two he accepts, it will be equally unfortunate for his reputation.

Concerning Fort Washington we have the additional information that the historian "studied 'the subject most carefully,'" and as evidence of it he tells us that he has been "upon Fort Washington and the adjacent ground, on foot and on horseback, alone and in company with the 'well-informed, times without number.'" As the *historian* is thus speaking it would have been well had he told the Editors of *The North American Review*, WHEN he was "upon Fort 'Washington'" and with whom, since "Fort 'Washington'" has not existed since Mr. Bancroft has been engaged on his *History*, and Richard F. Carman, the Carpenter, and James Gordon Bennett, the Editor, who have successively lived on the spot where Fort Washington once stood, have been more widely celebrated for a knowledge of their own affairs than for their knowledge of either Military science or American history. Mr. Bancroft has visited other battle-fields besides the site of Fort Washington—one of them was the scene of the Battle of White Plains, in sight of which we then lived—but he has generally been more willing to enjoy the hospitality of some well-to-do gentleman in the vicinity than to seek the information which could have been given to him by those, in more humble walks of life, concerning the professed objects of these excursions.

He may have trotted, or even walked, up to Fort Washington "times without number"—which is very questionable—but he could have served the cause of History better, concerning the siege of that post, had he taken three maps which are in existence and accessible to every one who knows where to look for them, and sat down with them and with the *material which is in his own library*, and studied their teaching as closely as he has studied the effect of a late seat at the opera, or that of his last "oration" on his chances of preferment by his already overburdened country. As it is, Mr. Bancroft, either willfully or ignorantly, tells us nothing of the

reasons which led to the original occupation of Washington Heights, nor of the causes which diminished its importance in one respect and increased it in another; and we are consequently left in entire ignorance, so far as Mr. Bancroft is concerned, of the true import of General Greene's obstinate possession of the post, of General Washington's subsequent failure to change the policy of its Commander, and of the *increased* confidence in Greene which the Commander-in-chief subsequently displayed, notwithstanding what Mr. Bancroft is pleased to consider a radical fault, or indiscretion in the former. Indeed, Mr. Bancroft prints in this very pamphlet the contemporary evidence of General Greene's superior wisdom in continuing the occupation of Fort Washington in opposition to General Washington's wishes, without seeming to know that he has done so; and he follows that most emphatic testimony of one of the best informed and popular men of that day—one George Washington—with some comments of his own which have entirely reversed the record, and made the General throw the responsibility of the loss of the Fort on a disobedience of orders by Greene, while no such censure was ever cast, even by implication.

The pamphlet closes with a review of General Greene's career as Quarter-master-general, in which we have the best evidence of our estimate of Mr. Bancroft's abilities as a historian of *civil* matters as compared with those which relate purely to *military* movements in the field. He is capable in the former while he is wholly at fault in the latter; and in the instance before us, he has used his power, as a narrator of civil affairs and those which possess a civil character, to the best possible advantage, and not without great disadvantage to General Greene's character as a man.

Taken as a whole, this tract must be regarded, historically, as a very important one; and as it seems to have been printed for private distribution, by its Author, it must be regarded, bibliographically, as not less important.

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3.—*Correspondence and Remarks upon Bancroft's History of the Northern Campaign of 1777, and the Character of Major Gen. Philip Schuyler.* By George L. Schuyler. New York: D. G. Francis, 1867. Octavo, pp. 47.

Mr. Bancroft seems to have taken the place of the Prophet in the valley by whose words the dry bones of past generations were shaken and new men, freshly formed by the Almighty, were suddenly called into being.

Greene, and Sullivan, and Reed, have been vindicated by their living representatives, known as historical writers, from the censures of "the 'great historian,'" and the world of History and



that of Letters have been appealed to, on either side, to determine the merits of the respective disputants. Suddenly, uninvited and unheralded, Mr. George L. Schuyler, who has been more widely known heretofore as a great man among the railroads of the country than as a critic or historian, ran on a switch, blew off his steam, exchanged the working-bar for a pen, the time-table for a historical manuscript, and joined in the contest; for he, too, had a grandfather whose merits had been unjustly depreciated by "the great historian," and he, too, had personal grievances to be avenged.

General Schuyler needs no protection from us, as he needed none from his grandson; since, with one or two exceptions, there was no one, among the soldiers of America, whose record is as honorable as his. The greatest wrong under which his memory suffers is the wrong committed by Mr. Schuyler himself, in doing what others have done with similar results—he neither uses them himself nor allows others to do so for him, the fine collection of manuscripts concerning General Schuyler which were rescued from destruction by his lamented wife, a few years before her death; and he leaves scholars to grope in darkness and uncertainty, and, sometimes, to arrive at wrong conclusions concerning the good old General, when he might have conclusively established the entire truth of the matter, years ago, and deprived Mr. Bancroft of the opportunity to belittle his ancestor, which he has thus been permitted to enjoy, by a more judicious and liberal policy. Indeed, we very well remember the disagreeable result of a respectful application for a slight examination of a very small portion of those manuscripts, bearing only on one specific subject, which was made by a respectable working student, through Mr. Schuyler's father-in-law, a few years since, when a paper was in preparation for the Historical Society of Vermont: and while we heartily sympathize with every one who condemns the sectional outrages from which General Schuyler suffered so much while living, we cannot extend that sympathy to his grandson, in his, nor in the anxiety to which, it is very evident, this pamphlet owes its origin, which we should do but for that recollection.

Considered in itself, Mr. Bancroft has displayed in his treatment of General Schuyler the same want of fidelity to the truth, if not the same ignorance of the great subject of his narrative, that he has shown in other parts of his work, concerning other military men of the Revolution.

General Schuyler was a New Yorker, of Dutch descent, a Soldier of tried abilities, a Federalist Statesman of great experience, a patriot without a stain: Mr. Bancroft is a New Englander, incapable of understanding the first principles of

military science, a politician of the dirtiest Democratic school—that which looks more to the offices and the spoils than the principles—and of questionable judgment as a historian. Why, then, need there be any surprise that Mr. Bancroft has done injustice to the character of the General? Why should he be expected to portray the services of the General with any degree of fidelity, when New England was in the Cabal, in 1777, and there was nothing accessible from which Mr. Bancroft could take his cue, had he been disposed to convey to his readers a fair estimate of the General's *military* services? As Mr. Bancroft has now published his story, and cannot steal from his neighbors without giving credit, unless at the risk of immediate detection, it is within our knowledge that more than one coveted historical study which has been withheld from the public on that account, will see day-light at an early day; and we earnestly hope that a more liberal policy on Mr. Schuyler's part, concerning the Schuyler Manuscripts, will induce the working-men of the profession to turn their attention to the minor details of the Northern Campaigns of the Revolution and to the unsurpassed merits, both as a Soldier and a Statesman, of his grandfather.

The edition of this volume numbered Two hundred copies; and it was mostly used for presents.

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4.—*Memoir of Jared Sparks, LL.D.* By Brantz Mayer, President of the Maryland Historical Society, prepared at the request of the Society, and read before its Annual Meeting, on Thursday evening, February 7, 1867. *Sine loco, sine anno.* Octavo, pp. 26.

We are indebted to our respected friend, the author, for a copy of this tract; and as it is devoted to a recital of the life, and services, and character, of another near and dear personal friend, it is peculiarly welcome.

It is well-written, truthful, and as complete as such a production can be; and it is peculiarly appropriate as a memorial of the departed historian from the city of his early ministry and the home of many of his earliest friends.

It is illustrated with a portrait of Doctor Sparks at the age of forty, and was neatly printed for the Society, by John Murphy.

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5.—*Letter to Abraham Lincoln.* By Manton Marble, Editor of "*The World*." New York: Privately printed, 1867. Octavo, pp. 25.

In May, 1864, as our readers will remember, *The World*, *Journal of Commerce*, and other papers in New York were imposed on by Joseph Howard, Jr., with what purported to be a Proclamation by the President ordering a draft for four hundred thousand men, which, subsequently, was ascertained to be a forgery, but not before

the two papers referred to had printed it in their regular issues.

They will remember, also, that notwithstanding the Publishers and Editors of the papers in question immediately suppressed the publication of the forgery, as far as was possible, and circulated, far and near, notices of the forgery, Mr. Lincoln issued orders for the summary arrest and incarceration in Fort Lafayette of the Editors of both papers and the entire suppression of the papers themselves; that the arrest and imprisonment of Mr. Marble and Mr. Prime was only prevented by the earnest representations of General Dix, who commanded in the city; and that the offices of both papers were seized by the military authorities of the Republic, in open violation of the Constitution; and that both were, for several days, entirely suppressed.

On the day on which the establishments were tossed back into the hands of their proprietors, Mr. Marble, the Editor of *The World*, publicly addressed a letter to the President, in which he recited the facts, in all their details, and asserted the Rights of Property, of Person and of the Press, which are the birthright of every freeman, with great clearness and precision and with unusual boldness. That letter, we well remember, made a deep impression on the thinking part of the community; and its clear, ringing notes carried alarm into the conclaves of the unprincipled violators of the written law who then swarmed over the country.

Three gentlemen of New York, two of them Republicans, and all personally unknown to Mr. Marble, have re-printed this letter in the most sumptuous style, for private circulation; and we are glad to see it thus rescued from the fate of a transient editorial leader.

The edition numbered ninety-nine copies, and was printed at the Bradstreet Press.

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6.—*The Game of Euchre compared to a Game of Life.* New York: Privately printed, 1867. Octavo, pp. 2, unpagcd, and 10.

Although this is not historical, we consider it a very interesting specimen of privately-printed book-making, and notice it accordingly.

It is composed of three separate pieces of poetry—"The Game of Life—a homily," by J. G. Saxe; "A homily on a homily," by Douglas A. Levein; and "A homily on 'A homily on a 'homily';" by G. W. Pettes—on the game of Euchre as representing the game of Life.

We know nothing about the former game, and the technical terms which abound in these homilies are, consequently, entirely unintelligible; yet we can see enough to satisfy us that to persons who do understand it, this must be a very entertaining tract.

It was privately-printed for Mr. William J. Slingerland, of New York; and the edition numbered fifty copies, thirty-eight of which were printed on white paper, and twelve copies on laid tinted paper, the latter on one side only.

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7.—*Sketch of Henry Hudson, the Navigator.* By Dr. G. M. Asher, of Heidelberg. Brooklyn: Reprinted for Private Distribution, 1867. Octavo, pp. 23.

In this neatly printed tract our friend, Mr. George Hannah, the popular Librarian of the Long Island Historical Society, has issued what is designed as a specimen of a series of historical tracts which he proposes to issue from time to time, for private circulation and exchange.

The particular work before us is very well adapted for the initial number of such a series, since it is well written, instructive, and locally interesting; although we imagine General Read has taken possession of it, and will hereafter leave nothing in doubt concerning him.

The edition numbered about a hundred copies.

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8.—*William B. Reed, of Chesnut Hill, Philadelphia. Expert in the art of exhumation of the dead.* Reprinted from the London edition, 1867. Octavo, pp. 15.

Another privately-printed tract resulting from Mr. Bancroft's attack on President Reed of Pennsylvania, and Mr. William B. Reed's Vindication of his grandfather, is here presented.

Our readers have already learned our opinions concerning both Mr. Bancroft's and Mr. Reed's volumes, and we can very soon give our opinion concerning Mr. Rush's—whether Mr. Reed's statements are true or false, Mr. Rush's are not calculated to disturb them, very seriously; and if we do not mistake, it has not disturbed them at all.

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9.—*Rapport sur les deux ouvrages de Bibliographie Americaine de M. Henri Harrisse, Avocat.* Par M. Ernest Desjardins lu a l'Académie de la Commission Centrale, de 15 Janvier, 1867. Extrait du Bulletin de la Société de Géographie. Paris: 1867. Octavo, pp. 20.

This is a very thorough and very minute Report on the merits of the two works by Mr. Harrisse, which our readers know so well; and it endorses, with all the enthusiasm of the French, every claim which has been made for Mr. Harrisse or by him. Indeed, it goes so far as to insist that these are the first-fruits of American book-making which possess any intrinsic merits, either literary or typographical; and even this praise is qualified by the repeated assurance that their author is a Frenchman.

Concerning the typography of these works, the Reporter is less enthusiastic, and he seems inclined to throw on the printer some of the faults which really belong to the Author and Proof-reader, Mr. Harrisse himself—how correctly our readers can judge.



10.—*Publications of the Narragansett Club. First Series* Volume II. Providence, R. I.: 1867. Quarto, pp. 4. (unpaged,) 240, 30.

In this very handsome volume, the Club has sent to its members John Cotton's *Answer to Roger Williams*, edited by Professor Diman of Brown University, and Roger Williams's *Queries of highest consideration*, edited by Mr. Guild, Librarian of Brown University.

The first of these, as an historical authority concerning the differences between Mr. Williams and the rulers of the Bay Colony, possesses great interest; and Mr. Diman has edited it with care and good judgment. The second has been printed from the only known copy, that in the British Museum; and Mr. Guild has introduced it with an elaborate Preface, which seems to have been carefully written and is evidently well adapted to secure a correct understanding of the otherwise uncertain *Queries*.

This Club is doing a good work for the cause of our Colonial History and we sincerely hope it will be sustained by a liberal support.

11.—*Records of the New York Stage, from 1750 to 1861.* By Joseph N. Ireland. In two volumes. Volume II. New York: F. H. Morrell, 1867. Octavo and quarto, pp. 2, (unpaged,) 746.

In our February number we noticed the first volume of this work and called the attention of our readers to the vast amount of labor which had been expended on it by its industrious Author and to its importance as a work of reference concerning the American Stage, especially that of New York. It is now our agreeable duty to announce the completion of the work; and to express, as we do, our entire satisfaction with the manner in which the Author has occupied the space which was appropriated for the undertaking.

There has been no waste of room in useless dissertations, no bestowal of unnecessary labor on merely ornamental flourishes, no niggard economy of either labor or space, when the "Record" required them. It is, in every respect, a credit to the industry and judgment of its Author; and if the Publisher had seen fit to give his subscribers a better quality of paper, there would have been little left undone which should have been done.

The edition numbered two hundred and sixty copies, of which sixty are quartos and two hundred octavos.

12.—*Official Documents, Addresses, Etc., of George Opdyke Mayor of the City of New York, during the years 1862 and 1863.* New York: Hurd and Houghton, 1867. Octavo, pp. xi., 365.

This volume, from the Riverside Press, contains the record of Mr. Opdyke's services as

Mayor of New York, during two of the most eventful years of its history. It was prepared and printed chiefly for private distribution among the friends of its Author, in order that they might be enabled to determine from authentic data how faithfully he had discharged the duties of the trust which had been confided to him; and neither the Author nor his friends have any reason to be ashamed of its teachings.

Mr. Opdyke is a Merchant, an intelligent Merchant, one who finds time to follow the bent of his inclination in looking for himself into the Literature of Commerce and the Literature of Governmental Science. He was, therefore, well fitted by his acquirements, and habits, and daily business associations, to represent a Commercial City; and, notwithstanding, because of his party associations, he was not a representative man of the members of the Corporation over which he presided, he discharged the responsible duties of his office with honor to himself and to the City. The volume before us is, therefore, such a memorial as reflects credit, both on the Author and on the community of which he is a member.

The papers of which this volume is composed have been arranged chronologically; and a good analytical Table of Contents enables the reader to find any desired paper without unnecessary labor.

13.—*New York in the Nineteenth Century.* A Discourse delivered before the New York Historical Society, on its sixty-second Anniversary, November 20, 1866, by Rev. Samuel Osgood, D.D. Published by order of the Executive Committee. New York. Printed for the Society, 1867. Octavo, pp. 1-7.

We have been most agreeably disappointed in this interesting volume. We knew its Author had desired to do justice to his subject, that he had diligently sought information in various quarters, that he had endeavored to speak favorably of the community in which he has lived and been honored during a longer period than in any other, but we knew, also, that he is a New Englander by birth, a Massachusetts man by education, a Puritan in everything but extreme intolerance; and we expected that the same causes in him would have produced the same results which they have produced in others of the same class. We are really glad to find, however, that there is, in this case, an exception to the general rule; and that one Massachusetts man exists who eats the bread which New York supplies and enjoys the honors which she freely bestows, without insulting her and without ringing in her ears how much she is favored by his company and by the honor of his readiness to enjoy all her hospitality, to tell her of the superiority of *his* family, and to become her ruler. We would that four others would show themselves, in order

that the righteousness of the five might save the modern Sodom from the annihilation to which the Omnipotent, and Omnipresent, and Immaculate New England, of modern times, has assumed to sentence it.

In his reference to the Dutch, and in his comparison of their polity, habits, and ruling spirit with those of the Puritans, Doctor Osgood has done nobly because he has done justly, even at the expense of his New English ancestry. So, too, of the progress of Revolution in New York, "the English Toryism" of Jay and his associates who defied the popular sentiment in their persistent resistance of Independence, and the stern republicanism—"jealousy of centralized power," he calls it—which prompted George Clinton and his associates to oppose the ratification of the proposed Constitution, the Doctor spoke nobly because he spoke fearlessly and truly. He dared, also, to condemn the Federalists for what he called "their distrust of the people;" and he did not hesitate to "join the names of the old Democrats, Chancellor Livingston and George Clinton, to those of their great Federal antagonists, Hamilton and Jay, in his record of the architects of liberty in New York city."

He has carefully portrayed New York, in 1801, and contrasted it with New York, in 1866; but he speaks of the time when Three or Four thousand dollars would pay for a house, and flour was Four and Five dollars a barrel, and beef Ten cents a pound, as if that time existed only in 1801, although we remember very well, many years later, when the same prices ruled and when a respectable working-man's family of Six persons was respectably fed, and clothed, and "brought up," on *Fifteen dollars per month*, besides house rent, and that in the city of New York; but we remember, at the same time, that there was then no "glory" to be paid for; and a hundred and fifty millions of dollars per annum were not then required to support our Republican army, during a period of perfect peace.

He recognizes Madison's superiority in the Constitutional Convention, and Hamilton's, Jay's, and Morris's inferiority among those to whom the State and the Republic are indebted for "the development of the power of the State and the City" of New York. He sees more practical common sense in "the New York mind," than speculative philosophy. He sees, or supposes he sees, in the State Constitution of 1777 an evidence of "the power of Jay and his associates over the mass, who were far more radical than he, and who consented to restricted suffrage and the aristocratic Councils of Appointment and Revision as keeping them within the safe old paths, whilst they rejoiced in the untrammelled religious liberty given;" he has failed to see, however, or to notice, that "the mass"

had nothing to say on the subject referred to, and gave no such "CONSENT" as he has referred to. He has not seen, also, that Jay strenuously urged, and dishonorably attempted to establish, through that very Constitution, the very opposite of the "religious liberty" of which he speaks; and that, until 1822, "the mass" of whom he speaks was not politically recognized and not until 1846 were "the aristocratic" institutions of appointing powers wiped out by the tide of truly Republican ideas—now, it may be, to be revived through the sitting Convention of 1867. "The People," in 1801, was composed of the "aristocratic" minority: in 1867, it is composed of the aggregate of the adult male population, and "the major will" is the supreme law: in 1870, it is not improbable, it will consist of the politicians only, when the major *purse* will be the sovereign power.

In his review of the New York of to-day, Doctor Osgood is thorough and remarkably precise—indeed, we know no picture of the great metropolis which will compare with his. We cannot pretend to follow him, however, in all the details which he has exhibited and so amply sustained; and we must content ourself with urging our readers to examine it for themselves.

The volume is very neatly printed, and is creditable, as a specimen of book-making, to John F. Trow & Co., who printed it.

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14.—*Sixty first Anniversary Celebration of the New England Society in the city of New York at Irving Hall, Dec. 22, 1866. Sine loco, sine anno. Octavo, pp. 86.*

We have in this pamphlet the official claim of the natives of New England to superior social and political standing in the Republic, by virtue of an assumed superiority of ancestry and an assumed superiority of intellect.

The feast was enjoyed by the Governors of New Hampshire, Massachusetts, Rhode Island, and Connecticut; a native of Hartford presided; a Boston Clergyman asked the blessing of God on the forthcoming splurge; Mr. George William Curtis, of Rhode Island, was the leading Orator; Mr. Henry Ward Beecher followed; and Mr. Joseph H. Choate had the last word—who shall say, therefore, that the claim was not duly verified.

Mr. Curtis told his hearers that, a few months before, he had heard, "from one of the most distinguished divines of Massachusetts, a sermon of which Massachusetts was substantially the text;" and he said, also, of that "distinguished divine," that "it was clearly his opinion that almost all that is great and glorious in this country proceeded from the State of Massachusetts." He said, also, concerning the old parson's notion, that "it was an opinion in which I



"have no doubt there are many gentlemen that 'cordially agree;' and he said of it, for himself, that he "found that by substituting the words 'New England,' in place of the word 'Massachusetts,' he was enabled to digest the sermon as 'comfortably as I hope he'" [the old parson] "digested his Thanksgiving turkey."

In view of the fact that this claim was set up in the midst of a community of which only less than one-fortieth of its numbers are New Englanders; among those from whose toleration alone these very claimants are drawing their bread; by a handful of foreigners—foreigners in fact and in law, in spirit and in truth—it is simply an insult to those among whom these claimants move, whose bread they eat, and whose hospitality they outraged.

But, when Mr. Curtis, Mr. Beecher, and Mr. Hepworth, Governor Smyth, Governor Bullock, and Governor Hawley, displayed their bad breeding by entering a neighbor's house and telling him, while sojourning on his premises, that he and his ancestors are and were the inferiors of themselves and their ancestry, it is undeniably true that in doing so they assumed to be what they were not, and "stole the livery of the Court of Heaven "to serve the Devil in."

Mr. Curtis, for instance, while speaking of "those grand old Radicals, the Pilgrim Fathers," of Plymouth, never seemed to suppose that they were neither Puritans nor Episcopalians; and he seemed to have forgotten, if he ever knew, that Roger Williams was not of the Pilgrims, and had no part in the *Mayflower*. Why, indeed, was it considered necessary to *mass* the New England family if all its members were of the same ancestry and jointly entitled to the same renown and the same superiority? Since Roger Williams, and John Clarke, and William Coddington were originally neither Pilgrims or Separatists, why was not he satisfied with Roger Williams, and John Clark and William Coddington, for their own sakes, without committing petty larceny on Plymouth Rock for their decoration. The exact truth is "the Pilgrim fathers" are used as God-fathers for every rascally Puritan in New England; and the Plymouth Rock which was rejected by the builders of the Puritan Commonwealth, has suddenly become, in these our days of bastard Republicanism, the head of the corner.

In this conclave, the blarney with which the city of New York was besmeared by those who had just before insulted her founders and Thirty-nine out of every Forty of her inhabitants, *received no response*. It was significant, even in a New England assemblage, that there was no one with "cheek" enough to reiterate, individually and in detail, what the mass of the Society had done "in glittering generalities."

Governor Smythe, also, after opening his address with an indecency which would have been considered disgraceful even in a crowd of New York news-boys, was loud-mouthed concerning "the great force of the Puritan stock," as if that had anything to do in common with the Pilgrim Separatists, whose anniversary he was then attending; and Mr. Beecher was as busy over "the spirit which animated our fathers," as he would have been if slavery had never existed in Massachusetts, and babies like puppies been given away in order that their mothers might be more serviceable to their masters.

In short, there was only one of the party who seemed inclined to tell the truth, and that was Mr. Choate, who emphatically likened the mass of the People of Massachusetts to the prophets of Baal in Mount Carmel, in whom there was neither Truth nor Righteousness and upon whose *Bullock* the Spirit of the Almighty never descended, even when they "cut themselves, after "their manner, with knives and lancets, until "the blood gushed out upon them," as other heathen idolaters were and are wont to do. We fear that these idolaters in Massachusetts have not improved very greatly since that event; and that Baal is still worshipped more zealously therein than the Lord God of Israel.

We do not envy the sons of New England all the glory which they can gather from such a display as this, since, like Theudas, they "boast "themselves to be somebody," while they are only deceivers.

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15.—*Life and Letters of John Winthrop*, from his embarkation for New England in 1630, with the Charter and Company of the Massachusetts Bay, to his death in 1643. By Robert C. Winthrop. Boston: Ticknor & Fields, 1867. Octavo, pp. xvi., 483.

We are indebted to the distinguished author of this work for a copy of it; and we have read it with great pleasure.

As our readers are generally aware, this work is the second of a series, the first of which contained the *Life and Letters of John Winthrop*, in Old England; and in the two, we have a connected biography of that celebrated man, from the pen of one of his descendants, who is most competent to do justice to his memory and to that of his fellow-settlers in the Bay Colony.

We have read these volumes, as we said, with great pleasure, because they have enabled us to judge more correctly than before of many features of Governor John Winthrop's personal character, and because we have seen therefrom the reasons for some questionable features of his public policy, from the stand-point which is now occupied by those who are most interested in his reputation.

We have admired, as every one must admire,

the affectionate intercourse, during his absence, with his wife and family; and if we ever doubted his personal integrity, the letters which passed between him and them would have scattered those doubts to the four winds—no willfully wicked man could have written such *private* letters as these or have received from those who best knew him, such unexceptionable replies.

We have admired, also, the stern regard for what he conceived to be his duty, in matters concerning the Colony and his fellow-colonists, even while we have learned, more than ever before, to condemn the great underlying principles on which he based his actions, and to resist the pretensions, still fostered by some, that these Puritan fathers were Republican in their tendencies and the conservators of that freedom of conscience, of that "freedom to worship God," which they found there, on their arrival in the Massachusetts Bay. The fault was, probably, in the system rather than in the instruments; and, although we may lament that such intelligent men as Winthrop should have been so far misled, we may look around us, to-day, and find similar causes and similar results, among those whose personal integrity and general intelligence are just as evident as were his.

The truth is, the Puritan fathers of Massachusetts were just such men as the Prelatist fathers of England, in that day, differing from the latter only on some points of sectarian detail. The Church of England, *as established by law*, was the "Dear Mother" of each; and neither of them ever conceived the idea that the union, by law, of the Church and the State, was not an ordinance of God and to be sustained at every cost. The King of England and the unholy system of Government on which he rested his pretensions to "Divine right" were supported by the Prelatists, both in theory and practice; the Puritans, in practice, to this extent, at least, conformed to the others, although they rather faintly intimated, in their theories, that the King was accountable to the Parliament, which was the representative body of none but the Nobles and the Gentry.

The idea that "all men"—rich and poor, good and bad, religious and irreligious, landlords and tenants, masters and servants, alike—were members of the State; that the King was their agent and servant; that the existing Government could, *legally*, be altered or abolished and another substituted in its stead, at the pleasure of the great body of the Governed, was never entertained for a moment by either party; nor did either of them ever intimate that in matters of Faith, the individual was accountable only to God, and that when the State interfered concerning it, it was an usurper of the Divine prerogative. Both Prelatist and Puritan were alike

Aristocratic and Monarchical in their ideas and practices: neither of them considered that the masses of the People possessed any right, civil or religious, *except what had been granted to them*, nor that the Church or the Parliament or the King were limited in their authority, *except by their own concessions*. They were exactly the opposite of Republicans—considering the King and the Church as the *sources* of authority and power rather than the *instruments* by which the authority and power, granted by God to the Commonwealth, enunciated by "the major will," and by it delegated respectively to them, should be vicariously exercised and controlled, in behalf and for the sole benefit of the whole.

We are willing to acknowledge that the Puritan fathers changed their views after they had become settled—we do not know whether it was before or after they had laid that cornerstone of our modern Republican institutions, of which modern Boston has had so much to say—but we are equally sensible of the fact that the change was one of form rather than substance. They *never* pretended to a recognition of the "inalienable rights" of "all men," of the relative rights and duties of the Governed and the Government, and of that "soul freedom" which has made Rhode Island history so note-worthy. They simply *transferred* from the King, and the Parliament, and the Church of England, *to themselves*, a great portion of the authority which had previously been divided among the former, while the masses were never consulted on the subject nor was it ever considered, even for a moment, that they had anything to do in the matter, but to obey—as in a recent instance, one of the favored ones in Massachusetts evidently considered "obscurity" in the individual as a sufficient reason for a disregard of his dormant rights; and the waste-paper basket or the blazing fire as the most proper receptacles for his communications.

It was consistent, therefore, for John Winthrop to have every appearance of an honest man and yet be, as he was, intolerant and aristocratic. He could be a good husband, and father, and neighbor, and friend, as he evidently was; he could discharge the ordinary duties in the family, the Church, and the State, as the best of other men discharged their duties and as he certainly did his: he could love God and honor the King, after his own fashion and quite as earnestly as the Prelatists loved the one and honored the other, or even better than they, as appears to have been the case; but we have every reason to believe that the Pharisees of old did just the same without escaping the entire condemnation, on matters concerning their intrinsic worth, *as Christians and as men*, of Him whose knowledge of the subject was better than their own; and



the measure by which these were tested is that by which John Winthrop and the Puritan fathers, in the case before us, should have been tried.

"The Humble Appeal" indicates the earnestness of his affection for his "Dear Mother," the Established Church of England, while he was yet in England; whence came the subsequent conviction that that "Mother" was not virtuous, and the authority for his own repudiation of her and persecution of her faithful children? The transfer of the Headship of the Church from the King of England to the body of which he, himself, was the leading spirit and official head, was not very clearly a disinterested measure; and a continuation, by the Massachusetts Establishment, of the burdens which the English Establishment had imposed upon Dissenters—the refugees to Massachusetts, as well as those who remained in England—with even greater rigor in the execution of its edicts than the Bishops had employed, was certainly controlled by something else than the golden rule of "doing unto others as he would they should do unto him."

The Antinomian troubles, it seems to us, should have been more thoroughly cleared up in the volume before us, than has been attempted by its author, since few pretend that they involved nothing else than an Article of Faith concerning a very obscure abstraction; while it is very evident that they also involved many leading questions, in which the Republicanism of the Puritans, if any such Republicanism existed, was a prominent feature.

We are sorry, also, in this connection, that Mr. Winthrop did not examine for himself, and determine, and record his opinion, concerning the authorship of the *Short Story*; rather than have taken the *ex parte* statements of Mr. Savage, in his *Genealogical Dictionary*, which had been already exploded in THE HISTORICAL MAGAZINE, by one of the most acute and best informed of Boston's historical writers.

Without noticing in detail all that is in this volume, we may say that very few volumes have been published which contain more useful material than this; and very few are to be found which will be more heartily welcomed by every historical student.

The volume is from the press of J. Wilson & Son: and it is illustrated with a steel-plate engraving after the statue of Governor Winthrop, in the chapel at Mount Auburn, and a lithographic *fac simile* of the latter conveying to his son, the intelligence of his death.

16.—*Facts and Suggestions. Biographical, Historical, Financial, and Political, addressed to the People of the United States.* By Duff Green. New York: Richardson & Co., 1866. Octavo, pp. vi., 234.

concerns than Duff Green, the editor of *The Washington Telegraph*; and few have been thrown into so many of the incipient movements which have subsequently resulted in the more notable events of our country's history. An autobiography of such a man, therefore, must necessarily be both interesting to the general reader and important to the student of History.

In the volume before us, Mr. Green actually begins "In the beginning," and through Eden and Babel, the Jews and the Gentiles, he traces his theory, concerning Slavery, Labor, and Government. He next narrates his ancestry, early life, religious experience, military career, marriage, commercial life, entrance into politics, etc.; and he continues throughout the volume the narrative of his strange and eventful career.

We have read in this volume, with lively interest, the record of political trickery in Henry Clay, Thomas Hart Benton, Andrew Jackson, John Quincy Adams, Martin Van Buren, William H. Crawford, and others of the great men of the past; and the veil which Mr. Green has raised no longer conceals the fact that politicians, in "the good old days" of the Republic were just like the politicians of to-day, and just as unprincipled: both being alike a disgrace to mankind and a curse to the Country.

The importance of this volume, in all that relates to the history of parties in the United States, will be apparent to every one.

17.—*The History of South Carolina.* From its first European discovery to its erection into a Republic. With a supplementary book, bringing the narrative down to the present time. By William Gilmore Simms. New York: Richardson & Co., 1865. Octavo, pp. viii., 437.

*The History of South Carolina* is so well known that a description of it, in this place, is unnecessary.

In this new edition of the work, the title-page says it has been continued to "the present time," but the contents of the last book indicate that it reaches only to 1859; and we suppose that it is one of those careless blunders in the Publisher who, in altering the stereotype plates for a new edition, neglected to correct anything but the date.

This volume is neatly printed on fair paper.

18.—*Inquiry into the Origin and Course of Political Parties in the United States.* By the late ex President Martin Van Buren. Edited by his Sons. New York: Hurd and Houghton, 1867. Octavo, pp. ix., 436.

The venerable statesman, after his withdrawal from public life, varied his occupation by an occasional use of his pen, in the preparation of a review of the events of his busy life and of a record of his recollections of his Contemporaries

and of his Times. The volume before us is a distinct portion of this autobiographical contribution to our Political History, which possesses unusual interest: and his sons have done well in presenting it to the public in a separate volume.

Mr. Van Buren opened his discussion with attributing the early strength of the Democratic Republican party to its adherence to the system of nominating by Congressional Caucus and its subsequent decay to the abandonment of that system at the close of Mr. Monroe's administration; and then, after making a comparison of the relative value of the Caucus to the Democratic and the Anti-democratic parties, respectively, and a passing allusion to previously written histories of our political parties, he proceeded to trace the two parties from their origin until the period of the Kansas-Nebraska excitement.

In doing so he traced the progress of party from the English Revolution of 1688, through the Colonial era and that of the Revolution, to the organization of our two great parties in America; and with greater clearness than any other with whom we are acquainted, he went to the very root of the matter when he told of the "settled aversion," during the Revolution and down to the spring of 1787, which existed "in the minds of a majority of the People to any measure or course of measures which were indicative of the slightest desire to return in any degree to the system which they had overthrown;" and he left it very apparent, also, that there was a *minority* who desired to restore the old order of things, and return to a Monarchy.

He told, also, of "the intense hostility of the Colonists and their successors to Monarchical institutions, and of the recollection of the cruelties inflicted upon them and upon their predecessors under the authority of Kings, which produced a determined repugnance on their part to the concentration of power in the hands of single magistrates;" and in this most important part of his history Mr. Van Buren left little without noticing it. Indeed, so completely and so perfectly satisfactorily has he done this part of his work that there seems to be little to be desired—if we regret that he omitted from the list of those who were the leaders of the Monarchists and the most earnest antagonists of a Republican form of Government, the name of the most obnoxious of the tribe, as we are compelled to do, we do so with the assurance that it was an oversight and not the result of a settled conviction.

We have room only to notice another portion of Mr. Van Buren's narrative; and we single it out because in it, also, we notice the result of either an oversight or a want of authentic data.

We refer to the character which he has given to the opposition to the proposed Constitution by the Anti-Federal or States-Rights party of that day, and to the necessity which he supposed had existed for the establishment of that "new system," even in the modified form which it assumed after the adoption of the Ten Amendments. In those instances, if we are not mistaken, Mr. Van Buren's seclusion worked mischief, since no one can write a history of what he has not any personal knowledge, except from the material which has been left by others; and concerning such a complicated subject as this, wherein so many were participants, the venerable agriculturist at Kinderhook, who wrote less from inclination than to gratify his children and friends, could not be expected, with any reason, to possess the material, nor, while in the country, to use it.

Had Mr. Van Buren sat and pored over the literature of that period as closely as some others have done, he would have seen in even stronger light than he did see it, the towering intellects of the States-Rights opponents to the originally-proposed Constitution, in all their glory; and he would have seen, also, in the pretended *necessity of the country* only a myth, and in the *originally-proposed Constitution* itself only a trap, the teeth of which were subsequently filed off, when the Ten Amendments confined the Federal authorities to a prescribed field of operations and forbade them from trespassing.

Throughout this volume there is the same clearly-defined distinction between the theories and doings of the two great parties in the United States, as seen from that standpoint which was occupied by the Van Buren wing of the Democratic party, as in the portion to which we have particularly referred; and we close the volume with the conviction that it is one of the most important contributions to our Political History that has yet appeared.

When the next edition shall appear we hope to see in it a complete and carefully prepared Index: the author will not have fair-play with the readers of this edition because of the absence of that very important addition.

The volume is from the Riverside Press, a pattern of neatness, and is illustrated with a splendid portrait of Mr. Van Buren. The selling price is Three dollars.

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19.—*Reply to Hon. Charles G. Loring, upon "Reconstruction."* By John J. Wright, of Illinois. Boston: A. Williams & Co. Octavo, pp. 31, xxiv. 189.

We have not yet met with the pamphlet of Mr. Loring to which this is a reply; and we must, therefore, notice the latter on its own merits and not relatively as part of a discussion.

The volume before us consists of two parts,



one, entitled "The pith of this matter," extending through Thirty-one pages of fine type, and embracing the author's plan for regenerating the Republic and saving what has been too long lost to be worth seeking; the other, covering Two hundred and thirteen pages, forming the "Reply" to Mr. Loring.

Of the "Pith of the matter," we have few words to say. Mr. Wright proposes to turn the torrent of absolutism which has broken down the Constitutional levee of the Republic and is carrying demoralization and political degradation over the entire country, North and South, East and West, by circulating some well-meant, but entirely too ponderous, publications among the Editors and Clergy—Four thousand copies to each tribe;—and he assures himself that those amiable, impartial, truth-loving, God-fearing classes will at once see their errors and become the undoers of the mischief of which they, more than all others, have been most notably the promoters.

Mr. Wright says, very properly, in this connection, that the busy-ones of the country cannot spare the time to read for themselves; and he thinks that the Press and the Pulpit must, therefore, read for them—which we do not admit—and that the Press and the Pulpit must, therefore, learn in order that it may teach, and read his books in order that they may learn.

All this is very well; but Mr. Wright will learn before he shall get very far on his mission that both Editors and Parsons have learned ALL THAT CAN BE LEARNED, ALREADY; that what they do not know is not worth the trouble of learning; and that his labor and his money had better have been spent elsewhere. The truth is, the great body of both the Press and the Pulpit is radically corrupt; and out of nothing nothing can proceed. Instead of the leader and instructor of the People, the Press, with here and there an exception, is only a panderer, to the worst propensities of a degenerate race; and a threatened loss of a thousand subscribers will as effectually muzzle the most "independent" Press in the country; as an uneasiness in the pews, from any cause, will supersede, in the Pulpit, the most emphatic, "THUS SAITH THE LORD."

Neither the Press nor the Pulpit, as a body, will condescend to read a page of Mr. Wright's book; and of those who shall read it, so ignorant are they as well as depraved, not one in a hundred will understand it.

Of the "Reply to Mr. Loring," which constitutes the greater part of this volume, we also have little to say. It is well-meant, but it is too intricate, and too ponderous, and too abstruse, to be at all effective among the masses, or even among the great body of those who read *The Ledger* and rule the Republic. For the great

purpose for which it was written, therefore, it will be entirely useless; and the great truths which have been scattered through it will be without effect, because they are over-ridden by what we must say we consider an unnecessary verbiage.

We know Mr. Wright, personally, and no one knows better than we, the earnest sincerity and the untiring steadiness with which he labors to be useful to his country; but he has not yet caught that enviable acquirement which would enable him to convey to every other with whom he may be thrown into company, the full measure of enthusiasm on an entirely dry, and, to others, entirely uninteresting if not obnoxious subject, which he possesses. As a necessary consequence, he cannot secure readers for his volumes, unless among the very few; and of those, the greater number will consider him, because of their own self-righteousness, a political monstrosity.

The volume before us is handsomely printed, from the Riverside Press, and sells for One dollar and a quarter.

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20.—*The Public Debt of the United States. Its Organization; its liquidation; administration of the Treasury; the financial system.* By J. S. Gibbons. New York: C. Scribner & Co., 1867. Duodecimo, pp. xii. 276

The author of this volume opens with a declaration that a public debt may sometimes be a public blessing, and, at worst, can only inflict alarm and injury to the body politic, without ruining it.

We do not concur with him in either of these views; and he is young enough, in the ordinary course of nature, to learn from observation what he might have learned from the history of the Republic, that taxation affects the pockets of the People and that the pockets are exceedingly sensitive to the touch of any but their owners. Indeed, if we have read correctly, one public Debt has been repudiated already, because the taxpayers did not consider it a public blessing; and Wall street should not shut its eyes to the stern fact that what, in that line, has been done once can very easily be done again.

In the volume before us, as the title indicates, we have a minute account of the *Federal Debt*, in all its aspects; but we do not find in it any notice whatever of the *State* and *Municipal Debts* which, united with the first, are crushing the industry of the country into the earth, as that of debt-ridden Europe has long been crushed, for the benefit of the few and to the destruction of the many. It discusses, also, the capability of the masses to stand taxation as coolly as the phlebotomist discusses the strength of his patient, but it does not seem to care, if it knows, that they are also struggling with other than Federal fates, as indicated by both their State and Municipal tax-gatherers.

If we are not mistaken, we knew Mr. Gibbons as a clerk in the old Bank of the State of New York, many years ago; and we fear that the rigidity of his education under Reuben Withers and Joseph Lawrence, which cared more for the payment of the money than the source from whence it came or the manner in which it was obtained, has not been modified by the knowledge, not learned in banks, that a People in its collective capacity cares very little for the rules of trade and is governed more by its ignorance and its immediate interests than by its information and its ultimate good.

21.—*Lectures on the Nature of Spirit, and of Man as a Spiritual Being.* By Chauncey Giles, Minister of the New Jerusalem Church, New York. General Convention of the New Jerusalem Church. 1867. Duodecimo, pp. 205.

Viewed from any point, these Lectures are remarkable productions. Bold, earnest, confident, they almost "rush in where angels fear to tread." We cannot call them dogmatical, for their leading characteristic is their continued and almost consecutive appeal to human reason. Their author asks no favor from credulity, while he gives no quarter to scepticism. One thing is certain, he has not arrived at his conclusions by any process of *a priori* reasoning. He has a theory, and holding it forth, he confidently challenges the clearest perceptions and the profoundest reflections of man. He deals with spirit as if it were form and substance, entirely cognizable to perception and reason. He passes the confines of the spiritual bourne as if he were a denizen of the empyrean world. And yet his boldness does not shock us, nor does it desecrate that which "eye hath not seen, nor ear heard." His spirits are not sheeted dead, but men and women—real men and women. His celestial realm is not the silence of viewless life, nor yet the Sabbath monotony of psalms and praises. It is not a conjectural existence—a mysterious waiting for a resurrection of the body, but a world of action and real life—of fields and landscapes; of mountains, plains and valleys; of habitations and employments; the archetype of earth—earth as it would have been had sin never entered to mar its harmonies nor disturb its felicities. We pause to enquire "whence hath this man this wisdom," and his oft repeated experience, "the new church teaches," assures us that his inspiration is from other sources than himself. It is clear that he is but a disciple. His duty seems to be but to illustrate and confirm, by appeals to reason, the teaching of his master. What is most noticeable in the book is the unity of idea that pervades every page. If one receives a portion he will be compelled, by a logical necessity, to accept the whole. It is impossible, within the

limit of this brief notice, to give any just idea of the book, nor of the philosophy it is intended to inculcate. To understand it, the whole must be read, perhaps studied. Yet it will not be a wearisome task—not "light reading" indeed—but its pages enchain. He who reads a single lecture will not omit to read them all. At this day of theological speculations, when the foundations of opinion, old dogmas, and ecumenical decrees are yielding to new discoveries, both in nature and in philosophy, it is pleasant to find at least one system of theology not open to conflicting theories. The followers of Swedenborg are intensely loyal. What is written is written. Within the range of what is taught, and now lies locked in the unchanging Latin of the ponderous tomes of their great Master, his followers deem an ample field for the most extended research and investigation. Beyond that they seek not to penetrate the veil. The volume before us is wholly Swedenborgian. And we think that nowhere can be found a book from which so clear and so compressed a view of the leading doctrines of this rapidly growing sect can be obtained as from a perusal of these lectures. We have in vain attempted to extract passages from which our readers may see what we can say is a fair specimen of the book. The unity of idea that pervades it forbids us to interrupt its harmony by extracting a single passage. The student of philosophy, the man of the world, as well as the devout and humble Christian, will find himself most amply repaid by a careful perusal of every line of the volume.

22.—*The History of the Civil War in America*; comprising a full and impartial account of the origin and progress of the Rebellion, of the various Naval and Military engagements, of the Heroic Deeds performed by Armies and Individuals, and of touching scenes in the Field, the Camp, the Hospital, and the Cabin. By John S. C. Abbott. Complete in one volume. New York: Ledyard Bill, 1866. Octavo, pp. 507, 2 (unpaged) 629.

We are indebted to our respected friend, the publisher of this work, for a copy of it; and, although we have not yet had time to go over it very carefully, we place it on our record, in order that Bibliographers and Collectors may not lose sight of it.

Mr. Abbott is so well known that he needs no introduction to our readers; and, notwithstanding his writings may not have been critically reliable, in all their details, in every instance, there need be no doubt of the fact that they have been popular and profitable to those who have circulated them.

We have glanced over some pages of this volume and we have wondered why its Author considered "the conflict" a *Civil War*. We have wondered, also, why he could have written, on



pages 19 and 20, what he said of the Constitution in its relation to Slavery, in the face of what he must have known to have been the Truth. We have wondered why the Author, who knew better, has treated this "Civil War," as if it had been produced only by reason of Slavery and Freedom. We wonder that any one, having access to the evidence, can consider General Scott as either a good soldier or a good citizen, as Mr. Abbott has considered him. There are many other similar causes for wonder, but we have not room enough to recite them.

So far as we have read the narrative of the military movements, we have seen nothing that is especially blameworthy: but we would suggest to the publisher that the man who made the indices most certainly did not know what they were for, since he could not otherwise have done them so shabbily.

---

23.—*History of the 104th Pennsylvania Regiment, from August 22d, 1861, to September 30th, 1864.* By W. W. H. Davis, late Colonel. Philadelphia: Jas. C. Roberts, 1866. Octavo, pp.

We have received from the gallant author a copy of this interesting volume, which we take pleasure in introducing to our readers.

The Regiment referred to was the Bucks County regiment: and it served at Washington, on the Peninsula, and in the Carolinas, with distinguished honor. Its services are narrated in the volume before us with great precision, yet without affectation and unnecessary detail; and that officer, in these our days, who can say, as Colonel Davis has said, in the face of such a record as belongs to this Regiment, while speaking of his own description of it, "it contains no wonderful exploit, but a simple narrative of the campaigns of the Regiment, which has been written without passion or prejudice and with a sincere desire to do justice to all," is certainly deserving of great credit, and furnishes evidence of his own fidelity.

The careful reader will find in it one of the best of the Regimental histories of the war; and we earnestly hope that it will be properly sustained by those who collect this class of works.

The volume is very neatly printed; and it is illustrated with several wood-cuts.

---

24.—*A history of the townships of Byberry and Moreland, in Philadelphia, Pa., from their Earliest Settlement by the Whites to the Present Time.* By Joseph C. Martindale, M.D. Philadelphia: T. E. Zell, 1867. Octavo, pp. 379, Errata.

The Friends' community in Byberry and Moreland have found an annalist; and the result of his labors is found in this well-filled volume.

From the days of Penn, if not before his ar-

rival there has been a settlement at Byberry; and its annals, year by year, are briefly presented in the first Seventy pages of the text of this volume. These are followed by a hundred and twenty-five pages of descriptions of Churches, Schools, Mills, Roads, Topography, etc.; and these by a hundred and seventy of Biographical and Genealogical Sketches of the ancient families of the locality.

We have seldom seen a better arranged local history than this; and rarely one that is written with better judgment.

---

25.—*Reports upon the Mineral Resources of the United States*, by Special Commissioners J. Ross Browne and James W. Taylor. Washington: Government Printing Office, 1867. Octavo, pp. 360.

Some of our readers will thank us for calling their attention to this public document, in which may be found a very complete historical sketch of gold and silver mining on the Pacific coast; reports on the Geological formation of the Pacific slope; on the condition of gold and silver mining there; on the resources, history, etc., of Nevada, Oregon, Washington, Utah, Montana, and Idaho; on the mines of copper, quicksilver, borax, sulphur, tin, and coal; on the climate, altitude, capacity to maintain a population, etc., and the mining laws of the various districts; an historical address on California and one on the acquisition of California by the United States; and a Report on the Gold mines East of the Rocky Mountains.

As a local history it is very important and well worth preservation.

---

26.—*The Descriptive New Testament of our Lord and Saviour Jesus Christ.* With Notes. Illustrated with numerous engravings. New York: Clark & Mead, 1867. Duodecimo, pp. 2 (unpaged) iv., 428.

A very neat little edition of the New Testament, with Notes by Ingram Cobbin, and illustrated with numerous cuts, is here presented; and we have no doubt it will be welcomed by many unto whom these accompaniments will prove very interesting.

---

27.—*The life of Earl Ritter, late Professor of Geography in the University of Berlin.* By W. L. Gage. New York: C. Scribner & Co., 1867. Octavo, x., 242.

This beautiful volume, from the press of the Blackwoods, of Edinburgh, contains a well-written memoir of the great Geographer, by one of his most ardent admirers; and in it the author has traced the career of his master and friend, from his childhood, at Quedlinberg, through his youth at Schneppenthal, his student-life at Halle, and his career as a Tutor at Frankfort-on-the-

Main, as a Savant at Geneva, as an Author at Gottingen, and as Professor at Berlin, to the close of his career in 1859.

It is well written, interspersed with extracts from his correspondence, and is exceedingly interesting.

28.—*The Romance of the Age; or the Discovery of Gold in California.* By Edward E. Dunbar. New York: D. Appleton & Co., 1867. Duodecimo, pp. 131.

This little volume contains, in the most convenient form, a complete synopsis of the more recent history of California, including the career of Captain Sutter, the discovery of Gold, and the subsequent events, incidental thereto.

It is, therefore, a most useful book; and the neatness of its dress will commend it to the favor of every one.

29.—*The Birth of Pleasure. The story of Cupid and Psyche.* From Apuleius. New York: James Porteus, 1867. 16mo. pp. 110.

In this beautifully printed little volume, we have the well-known mythological story of Cupid and Psyche, in the most enticing form. As a specimen of book-making it is a perfect little gem; and to those who delight in the class of works to which this belongs we have no doubt it will be very acceptable.

30.—*Liber Librorum; its structure, limitations, and purpose.* A friendly communication to a reluctant sceptic. New York: C. Scribner & Co., 1867. Duodecimo, pp.

In this little volume we have an earnest defence of the Historic Reality and the Supernatural Origin of the Mosaic and Christian systems, against the doubts of a reluctant sceptic; and the compactness of the argument and the merits of the case unite in making it an acceptable addition to the religious literature of the day. The field is certainly wide enough, in these our days; and we are glad to see one earnest laborer in the harvest, where so many are needed.

The volume is very neatly printed and is sold for One dollar and fifty cents.

31.—*Teetotalism as a rule of duty unknown to the Bible and condemned by Christian Ethics.* By D. R. Thomson. With a commendatory Letter by Howard Crosby, D D.

It appears from this little volume that there are some of the clergy who do not consider Total abstinence from intoxicating drinks either necessary for obedience sake or advisable on the score of health; and two of them, one of the number widely known and as widely honored both for his personal worth and his superior intellectual

powers, bear testimony in these pages to their convictions in the premises.

There appears to have been no finely-spun arguments in the discussion, by either of the authors; but by good, old-fashioned, sturdy blows they assail the citadel of Total Abstinence and oppose its champions, hand to hand. We shall look for as frank and manly a reply; and we earnestly hope that the Truth may be established.

32.—*Mr. Secretary Pepys, with Extracts from his Diary.* By Allan Grant. New York: James Porteus, 1867. Duodecimo, pp. 264.

The prince of journalists has found in Mr. Grant a sympathising biographer: and "the 'learned associations styling themselves 'Societies'—Historical 'Societies,' he might have said—have found in him an ignorant slanderer.

It may have suited this Scotch admirer of an old English gossip to sneer at the collections of "rubbish" concerning America and Americans which Historical Societies in America have "garnered up" for the use of historical students, in all ages; but it seems to us that he might have been contented with the undisturbed enjoyment of his ancient English "rubbish," without insulting those whose lines of study differ from his own, or "the learned associations styling themselves 'Societies,' who have seen fit to collect and preserve material for their use and instruction.

Be this as it may, Mr. Grant sneers at those who merely "sift, riddle, and readjust to suit 'the taste of the time,' the 'sweepings of a 'study'; yet, in the volume before us, he has done nothing more than an exactly similar work, in which he has turned a penny, we hope, by sifting, riddling, and readjusting to suit what he supposed to be the taste of the time, the gossip of Samuel Pepys concerning his shoe-buckles, mock venison, Sir George Downing, sack-posset, the refugee King of England, the London theatres, Sir George Carteret, etc., and interlarding it, here and there, with comments on New York boarding-house-keepers, half-fuddled New York Aldermen, Sir Walter Scott, Professor Blet, Andrew Jackson, roast pig, New York belles, etc. He might, therefore, it seems to us, have been contented with himself and with his own little affair without heaping uninvited abuse on others, in other lines of the profession, who are probably quite as worthy as he; and we hope he will hereafter rest contented with the credit which justly belongs to himself, in his own line of authorship, without volunteering abuse on others, in other walks of life.

The volume before us is, all things considered,



an entertaining little affair: and it has been issued in a very neat dress, by the enterprising young publisher in the Bible-house, whose imprint it bears.

33.—*The Reformed Dutch Church in Williamsburgh.* An historical discourse delivered on Sabbath morning, November 4, 1866, by Elbert S. Porter, Pastor. Published by the Consistory. New York: 1866. Octavo, pp. 30.

The First Reformed Dutch Church of Williamsburgh, was originally only a branch of the old Church at Bushwick; and its Meeting-house was designed only as a Chapel-of-ease to that ancient parish. On the first Sunday in November, 1829, however, its independence was publicly recognized by the Classis of Long Island; and, soon after, the Rev. James Demarest was called to the Pastorate. Nearly ten years after, Rev. W. H. Van Doren succeeded Mr. Demarest; and in December, 1849, Doctor Porter was installed in the Pastoral chair and still occupies it.

The corner-stone of the first Meeting-house was laid on the twenty-eight of September, 1828, as a Chapel of the Bushwick Church, on the outskirts of a mere hamlet of some Two thousand inhabitants: to-day, enlarged and beautified, it stands in the midst of a city of One hundred thousand souls, teeming with wealth, and industry, and unrecognized blessings.

In the discourse before us, our respected friend and fellow-laborer has spread before his readers a life-like picture of the town and city of Williamsburgh, during its march from insignificance to celebrity; and we commend it to the attention of those who collect local histories as one of the most important of the series relating to Long Island.

We suppose that it may be purchased at the Consistory Rooms in Fulton street, New York.

34.—*Origin and History of the Measures that led to the construction of the Erie Canal.* Written at the request of the Buffalo Historical Society, by George Geddes. Syracuse: Sumners & Co., 1866. Octavo, pp. 21.

We suppose, from the small portions of this tract which we have read, that it is exceedingly valuable, as a synopsis of the early history of the great system of internal improvements in New York; but we have been compelled, out of a tender regard for our eyes, to turn from the wretchedly-printed work and lay it on the shelf until it shall become necessary for us to turn to it.

At an early day we shall endeavor to lay before our readers some portions of the very important material which this pamphlet seems to contain.

35.—*The Illustrated Horticulturist Almanac for 1867* New York: Geo. E. & E. W. Woodward. Octavo, pp. 30.

This beautiful little affair is the best work of the kind, of its size, that we have as yet seen; and the calendar of operations in the Orchard, Vineyard, Farm, Garden, and Greenhouse, for every month in the year, which it contains, is worth very much more than the price of the book.

## 2.—BOOKS RECEIVED.

1.—From LITTLE, BROWN & Co., Boston. *Modern Inquiries.* By Doctor Bigelow.

—*Works of Edmund Burke.* Vol. XII.

—*The Jesuits in America.* By Francis Parkman.

2.—From THE MASONIC PUBLISHING Co., New York. *A Cyclopedia of Freemasonry.* By Robert Maoy.

3.—From SAMUEL G. DRAKE, Boston. *The Old Indian Chronicle.*

4.—From W. R. C. CLARKE, New York. *History of New York.* By Miss Mary L. Booth. 2 vols.

5.—From THE LONG ISLAND HISTORICAL SOCIETY. *Fourth Annual Report.*

6.—From SAMUEL L. BOARDMAN, Augusta, Me. *A Golden Wedding and the Dinsmore Genealogy,* from about 1620 to 1865.

7.—From W. J. WIDDLETON, New York. *Joseph Reed.* By George Bancroft.

8.—From Hon. D. D. FIELD, New York. *Suggestions Respecting the Revision of the Constitution of New York.*

9.—From A. E. CUTTER, Charlestown, Mass. *Poems of Anne Bradstreet.*

10.—From HARPER & BROS., New York. *Raymond's Heroine.* A Novel.

—*Mr. Wynyard's Ward.* A Novel. By Holme Lee.

—*College Life; Its Theory and Practice.* By Stephen Olin, D.D.

—*The Great Rebellion.* By John Minor Botts.

—*War of the Rebellion.* By H. S. Foote.

—*Miss Ravenel's Conversion from Secession to Loyalty.* By J. W. De Forest.

—*Thrilling Adventures of Daniel Ellis.* By Himself.

—*Thackeray's Lectures.*

—*Bench and Bar.* By L. J. Bigelow.

—*The Civil War in America.* By Dr. John W. Draper. Vol. I.

# INDEX.

Aboriginal ingenuity, 145.  
 Adams, Samuel, Letter from, 167.  
 Allen, Ethan, Letter from, 169.  
 Ambulance Corps, 231.  
 Anderson, Lieut. Thos., His Journal, 207.  
 Andros in New England, in 1688-9, 1.  
 Anthracite Coal, 47.  
 Arnold, Benedict, in Maine, 48; Jonathan, Letter from, 253.  
 Ashley, Doctor John, of Deerfield, 142.  
 Ashmun, Rev. J., Letter from, 98.  
 Bancroft, Grahame, and Ellis, 102.  
 Barker, Jacob, Letter from, 169.  
 Beatty, Capt. William, Journal of, 79; Correspondence of, 147.  
 Benson, Egbert, on the Constitution of New York, 277.  
 Bergen, Hon. T., on Church Cows, 230.  
 Beverly, Major Robert, 212.  
 Bit, 180.  
 Bonaparte, Napoleon, 47.  
 Books. New Publications. *Trial of J. Hett Smith, Dies Free, Happy New Year*, 59; Moore's *Additional Notes on Slavery in Massachusetts*, Lange's *Commentary*, Snow's *Lee and his Generals*, Stone's *Red Jacket*, Gayarre's *Philip II. of Spain*, 60; Froude's *England*, 60, 316; *Works of Edmund Burke*, 61, 316; Vernet's *Abnakis and their History*, Simms's *War Poetry of the South*, Randolph's *Hopefully Waiting*, 61; Armstrong's *History and Resources of Dakota, Montana, and Idaho*, Report of Superintendent of Education in Lower Canada, Havens's *Annals of Trenton*, Sue's *Mysteries of the People*, Democratic *Abolition Magazine*, 62; Grose's *Advice to Officers of the Army*, Publications of the *Narragansett Club*, 122, 365; Ireland's *History of the New York Sage*, 123, 365; Greene's *Nath. Greene*, 124; Amory's *Gen. John Sullivan*, Reed's *President Joseph Reed*, De Voe's *Abolitionists*, 123; *Fugitive Pieces*, by various hands, 1866, Hough's *Northern Invasion of October*, 1780, 183; Wynne's *Byrd's Dividing Lines and other Tracts*, 183, 311; *The Populm Canon*, 184; Bancroft's *United States*, 187; *Journal of Isaac Norris*, 246; Letchford's *Plain-dealing*, 247; *Ale. Bi-centenary at Newark*, 248; De Voe's *Market Assistant*, Reed's *President Reed of Penn.*, 249; Hough's *Statistics of New York*, 253; Gov. Andrew's *Address*, Perry's *Memorial of Doct. Smith*, Perry's *Thanksgiving Sermon*, 254; Stone's *Quarter-century Review*, 255; *Addresses of New York to General Washington*, Memorial to Captain C. W. Marshall, 306; Hough's *Andre's Cow Chase*, 308; Hough's *Siege of Savannah*, 309; Hough's *Siege of Charleston*, 310; *Memorables of the Montgomerys*, 311; Jacob's *Life of Cresap*, Boyer's *Journal of Wayne's Campaign*, *Memoirs of L. I. Historical Society*, 312; Lyman's *History of East Hampton*, 313; Craw-

ford's *Moschy and His Men*, Hunt's *The Shenandoah*, 314; Valentine's *Ordnances of the City of New York*, 315; De Voe's *Studies in English*, Paulling's *James K. Paulling*, 316; Clark's *Clark Genealogy*, 317; Jancson's *Constitutional Convention*, 318; Swinton's *Army of the Potomac*, Hammond on *Wakefulness*, Day's *Logie*, Fuller's Woodward's *Record of Horticulture for 1866*, Gos's *Soldier's Story*, 319; *Annals of Iowa*, 320; Wheeler's *Fast-day Sermon*, Bancroft's *Letter*, 364; Schuyler on *Geo. Bancroft*, 365; Mayer's *Jared Sparks*, Marble's *Letter to Lincoln*, 366; *Game of Euchre*, Asher's *Henry Hudson*, Rush's *William B. Reed*, Desjardins's *Report*, 367; Oplyke's *Messages etc.*, Osgood's *New York in XIX. Century*, 368; N. E. Society's *Dinner*, 369; Winthrop's *John Winthrop*, 370; Duff Green's *Facts and Suggestions*, Simms's *South Carolina*, Van Buren's *Political Parties*, 372; Wright's *Reply to Loring*, 373; Gibbons's *Public Debt of U. S.*, 374; Giles's *Lectures on the Spirit*, Abbott's *History of the Civil War*, 375; Davis's *Civ. Regt. Penna. Vol.*, Martindale's *Egbert*, etc., Browne and Taylor's *Reports*, Cobbin's *New Testament*, Gage's *Prof. Ritter*, 376; Dunbar's *Romance of the Age*, *Birth of Pleasure*, *Liber Librum*, Thomason's *Tetotalism*, Grant's *Secretary Peppys*, 377; Porter's *R. D. Church in Williamsburgh*, Geldes on *Erie Canal*, *Horticultural Almanac*, 378.  
 — in preparation, 128, 256; received, 255, 378; wanted, 63.  
 Boston Massacre, 47; How they "put" things there, 175.  
 Braddock, Who killed him? 141.  
 Brandywine, Battle of, 81.  
 Britton, Doctor D. G., on Natchez Indians, 16.  
 Brodhead, J. Romeyn, on Sir E. Andros, 1.  
 Brooks, Rev. Benj., 178.  
 Buff and Blue, 49.  
 Burke, the historian, 302.  
 Burr, Aaron, Letter from, 254.  
 Canada, Kingdom of, 179.  
 Carroll, Chas., Letter from, 27.  
 Champlain and the discovery of his Tomb, 100.  
 Cherokees, Drayton's talk to them, 1775, 280.  
 Church Cows, 230.  
 Colden, C. D., Letter from, 206.  
 Cooper, J. Fenimore, Letter from, 350.  
 Cosby, Gov., 68.  
 Cross, Symbol of, 289.  
 Current Events, 63.  
 Dean, John Ward, on Sir Nath. Rich, 206.  
 Dearborn, Gen. H., Letter from, 285.  
 Detroit, Bank of, 180, 302.  
 Dongan, Gov., 2, 75.  
 Downing, Emanuel, 50.  
 Drowne, Doct. Solomon, Letter from, 28.  
 Eacker, George, 50.

East India Company's *Ensign*, 49, 235.  
 Editorial, 1, 14, 20, 95, 175, 193, 278.  
 Edwards, Jonathan, 333.  
 Election, Presidential, in 1800, 232; Sermon in Mass., 47, 116.  
 Ellis, Rev. Doctor, 102.  
 Ewbank, Thos., on the Tepita, 145; on the Cross, 289.  
 Falshood, Apology for, 14.  
 Field, David Dudley, D.D., 351.  
 Federalist, No. LXIII., 257.  
 Fitzhugh, Wm., Letter from, 212.  
 Force, Peter, on Henry Laurens, 65, 129.  
 Franklin, Benj., Letters from him, 203, 284; Sir Wm., Letter from, 25.  
 Freemasonry in Ohio, 179.  
 Gems from Diadem of Mass., 18, 114, 143.  
 Germantown, Battle of, 82.  
 Gerry, E., Letter from, 285.  
 Gillette, Rev. Dr., 142, 333.  
 Green, Gen. N., Letters from, 98, 204.  
 Hamilton, Commissary, 234.  
 Hamilton and the Presbyterians, 49, 189; and the *Federalist*, 257.  
 Hancock's Chair, 115.  
 Harlem Heights, Battle of, 79.  
 Historical Societies, Administration of, 193.  
 History. How it is made, now-a-days, 95.  
 Hooper, A. M., Letter from, 28.  
 Howell, David, Letter from, 349.  
 Humphreys, Col. D., Letter from, 204.  
 Huntington, Gen. Jed., Letter from, 204.  
 Hutchinson, Anne, 159.  
 Indians, Natchez, 16; Huasteca, Maya, 17.  
 James II., 2.  
 Jay, John, 257.  
 Jefferson, Thos., Letter from, 168.  
 Kapp, F., on Washington, 164.  
 Kendall, Amos, on the Jackson Cabinet, 175.  
 King, Rufus, on the Constitution of New York, 277.  
 La Fayette, Letter from, 285.  
 Lahrbush, Capt., 211.  
 Laurens, Henry, in Congress, 65; in England, 129.  
 Lawrence, Eugene, on Anne Hutchinson, 150; Iowa, Recollections of, 214.  
 Lebanon, Conn., 85.  
 Longworth's Gallery, 105.  
 MacCreca, Jane, 46, 229.  
 Maine, Longevity in, 48; Colonial Records of, 301.  
 Marine Committee, Letter from, 203.  
 Marshall's *Life of Washington*, suggestions for correction of, 286.  
 Mason and Dixon, Letter from, 97.  
 Massachusetts, in 1688-9, 1; Gems from Diadem of, 18, 114, 143; Election Sermons, 47, 116; Slavery in, 117, 179, 234.  
 Methodists, Early American, 114, 291, 338.  
 Miller, Gen. Jas., Letter from, 100.  
 Mint, Notes on History of, 30.  
 Monmouth, Battle of, 83.  
 Monroe, James, 286.  
 Mooers, Gen. Benj., Letter from, 169.  
 Moore, Geo. H., 46, 112, 116, 297, 321, 3.  
 Morris, Robert, Letters from, 30, 31, 32.  
 Narvaez and Florida, 24.



- New Amsterdam. Records of, 32, 108, 170, 224, 354.
- New Jersey. Papers illustrative of the history of, 25, 57; and Boundary Commission of 1769, 145, 199; Treason in, 1779, 234.
- Newspapers in the West, 22.
- New York, City of—Old, revived, 42, 105, 160, 215; Evacuation of 1783, 42, 166; Petition for redress, 63; Antiquities of, 159.
- State of. Constitution, 277.
- Notes, 47, 114, 178, 233, 301; on recent Civil War, 231.
- Numismatics, 47.
- O'Reilly, Henry, 22, 193.
- Oris, Joseph, 235.
- Our historical writers—D. D. Field, D.D., 351.
- Paget, R. N., Adm'l. Letter from, 100.
- Pawnbrokers' signs, 180.
- Pennsylvania. Slavery in, 112; Suffrage in, 235.
- Pilgrim Fathers neither Puritans nor Persecutors, 261.
- Platoe, Geo., Letter from, 27.
- Popham, Monument to him, 234, 302.
- Portraits. Mistakes in, 116.
- Privately-printed Books in America, 20.
- Queries, 49, 118, 180, 234, 302.
- Quitman, Gen., Letter from, 41.
- Rales' Monument, 235.
- Randolph, J., Letter from, 285, 349.
- Red Hook, N. Y., 48.
- Replies, 50, 118, 180, 235, 302.
- Rich, Sir Nathaniel, 206.
- Riker, Richard, Letter from, 100.
- Rockwell, Prof. E. P., 48, 85, 141.
- Rush, Doctor Benj., Letter from, 203.
- Scott, Benj., Address on Pilgrim Fathers, 261.
- Scrap Table, The, 180, 237.
- Selections from Portfolios, 27, 93, 167, 203, 283, 349.
- Shea, J. Gilmary, 100.
- Smith, Buckingham, 24.
- SOCIETIES, Proceedings of. American Antiquarian, 303; American Ethnological, 53, 242; American Statistical, 181; Boston Numismatical, 51, 118, 238; Buffalo Historical, 243; Dorchester Antiquarian and Historical, 240; Firelands Historical, 305; Long Island Historical, 55, 120, 181, 242, 305; Maine Historical, 303; Massachusetts Historical, 238, 303; Minnesota, 246; N. E. Historic-Genealogical, 50, 119, 239; New York Historical, 53; Old Colony Historical, 181; Pennsylvania Historical Society, 57, 113, 244; Rhode Island Historical, 52, 181, 240; Wisconsin Historical, 245.
- "Star-spangled Banner," Origin of the Song, 279.
- Staten-Island. Expedition against, 81.
- Stone, William L., 229.
- Swedenborg, Emanuel, 49, 118, 180.
- Talhnadge, Major Benjamin, Letter from, 98.
- Telegraph, Early history of, 22.
- Tompkins, Gov. Dan'l D., Letter from, 205.
- Transcript (Boston), *The Evening*, 14, 95.
- Trenton, Battle of, 80.
- Typography, its progress Westward, 193.
- Valley Forge, 82, 196.
- Van Buren, Martin, Letters from, 205.
- Van Dam, Rip, 77.
- Van Vechten, Att'y Gen'l. Opinion, 206.
- Warburton, Bishop, Letter from, 114.
- Washington-family, Origin of, 29.
- General, Letters from, 27, 45, 96, 115, 117; at Trenton, 47; his character, 164; *Expostulatory Letter* to him, 302.
- Wetmore, Gen. Prosper M., 150.
- Wheelewright, Rev. John, His Fast-day Sermon, 215.
- Wileott, Oliver, Recommendation, 350.
- Work and Materials for American History, 297, 321.
- Yankee Doodle, 118.
- Zarah, 50.

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New Series, Vol. I.

No. I.

THE

# HISTORICAL MAGAZINE,

AND

## NOTES AND QUERIES

CONCERNING

### The Antiquities, History and Biography

OF

## A M E R I C A .

January, 1867.

MORRISANIA, N. Y.:

HENRY B. DAWSON.



## L O S T.

In consequence of the loss, on our way to the Printers, of the Manuscripts of six of the principal Articles which we had provided for the January number of this work, we have been compelled to fill its pages from our reserves; and, for that reason, we trust our readers will excuse any shortcomings which they may observe.

We are not without hopes of recovering these papers—which are mostly from well-known contributors to our pages—in which case they will find places in future numbers.

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## CONTENTS OF THIS NUMBER.

---

	Page		Page
I. Introductory, <i>by the Editor</i> .....	1	X. Selections from the Portfolios in various Libraries— <i>Continued</i> .....	27
II. The Government of Sir Edmund Andros over New England in 1688 and 9, <i>by J. Romeyn Brodhead, LL.D.</i> .....	1	XI. Arrival of the Washington Family in America	29
III. An Apologist for Falsehood, <i>by the Editor</i> ...	14	XII. Notes on the Early History of the Mint...	30
IV. The Natchez of Louisiana, <i>by D. G. Brinton, M.D.</i> .....	16	XIII. Records of the City of New Amsterdam. <i>Published by Authority of the City of New York</i>	32
V. Gems from the Diadem of Massachusetts....	18	XIV. A Letter from Gen. Quitman.....	41
VI. Privately-printed Books in America— <i>Continued</i> .....	20	XV. Old New York Revived— <i>Continued</i> .....	42
VII. The First Daily Newspaper in the West, and the First Telegraph-line, <i>by Henry O'Reilly, Esq.</i>	22	XVI. The Murder of Jane MacCrea.....	46
VIII. Narvaez and Florida. <i>A Translation</i> ....	24	XVII. Notes.....	47
IX. Papers Illustrative of the History of New Jersey.....	25	XVIII. Queries.....	49
		XIX. Replies.....	50
		XX. Proceedings of Societies.....	50
		XXI. Books.....	59
		XXII. Current Events.....	63

ERRATUM.—Transpose line, at foot of second column, page 40—"bors who obtain from them their Beer and pay"—to foot of second column, on page 36.

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## THE FEBRUARY NUMBER

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Will contain, among other articles, one from General Peter Force, on "Henry Laurens in Congress;" the Memorial presented to the King in Council by Chief-Justice Lewis Morris, "in behalfe of the Inhabitants of Your Majesties City and Province of New York," for a redress of their grievances; the Journal of Captain Beatty of the Maryland Line, 1776 to 1780; a brief account of East-New-Jersey in America, by the Scotch Proprietors, 1683; a continuation of the ancient Dutch Records of New Amsterdam, 1648-50; "Lebanon, in Connecticut," by Prof. E. F. Rockwell; papers by John Gilmary Shea, LL.D., George H. Moore, William L. Stone, and others; Autographs from the collections of George Brinley, Esq., of Hartford, Nathl. Paine, Esq., of Worcester, J. Carson Brevoort, Esq., of Brooklyn, and Francis S. Hoffman, Esq., of New York; "Old New York Revived," by the Editor; and Reports of the various Societies.

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OF

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MORRISANIA, N. Y.:

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To save trouble, we have no copies of the May and June numbers, and few of that for December.

## CONTENTS OF THIS NUMBER.

	Page		Page
I. Mr. Laurens in Congress, <i>by General Peter Force</i> .....	65	IX. Mr. Bancroft, Mr. Grahame, and Rev. Dr. Ellis.....	102
II. Petition to the King, for a Redress of Grievances in New York.....	68	X. Old New York Revived— <i>Continued</i> .....	105
III. The Journal of Captain William Beatty, of the Mary and Line, 1776 to 1780.....	79	XI. The Records of the City of New Amsterdam, <i>Published by Authority of the City of New York</i> — <i>Continued</i> .....	108
IV. Lebanon, Connecticut.....	85	XII. Slavery in Pennsylvania.....	112
V. A Brief Account of the Province of East-New-Jersey in America, 1683.....	87	XIII. Gems from the Diadem of Massachusetts — <i>Continued</i> .....	114
VI. How History is Written, now-a-days, <i>by the Editor</i> .....	95	XIV. Notes.....	114
VII. Selections from Portfolios in various Libraries— <i>Continued</i> .....	96	XV. Queries.....	118
VIII. Champlain and the Discovery of his Tomb, <i>by John Gilmary Shea, LL.D.</i> .....	100	XVI. Replies.....	118
		XVII. Proceedings of Societies.....	118
		XVIII. Books.....	122

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## CONTENTS OF THIS NUMBER.

---

	Page		Page
I. Henry Laurens in England, by <i>General Peter Force</i> .....	129	IX. The Antiquities of New York, by <i>General Prosper M. Wetmore</i> .....	159
II. New Jersey and the Boundary Commission of 1769.....	135	X. George Washington, by <i>Friedrich Kapp</i> .....	164
III. Who Killed General Braddock? By <i>Professor E. F. Rockwell, of Davidson's College, N.C.</i>	141	XI. Old New York Revived— <i>Continued</i> .....	166
IV. Rev. John Ashley of Deerfield, Mass. Communicated by <i>Rev. E. H. Gillette, D.D., of Harlem, N. Y.</i> .....	142	XII. Selections from Portfolios in various Libraries— <i>Continued</i> .....	167
V. Gems from the Diadem of Massachusetts— <i>Continued</i> .....	143	XIII. The Records of the City of New Amsterdam, Published by Authority of the City of New York— <i>Continued</i> .....	170
VI. Aboriginal Ingenuity. The Tepiti. By <i>Hon. Thos. Ewbank</i> .....	145	XIV. How they "Put Things," in Boston, by the Editor.....	175
VII. Correspondence of Capt. Wm. Beatty, of the Maryland Line, 1776 to 1781.....	147	XV. Notes.....	178
VIII. Anne Hutchinson, by <i>Eugene Lawrence, Esq., of Columbia College, New York City</i> .....	150	XVI. Queries.....	180
		XVII. Replies.....	180
		XVIII. Proceedings of Societies.....	181
		XIX. Books.....	183

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## CONTENTS OF THIS NUMBER.

	Page		Page
I. The Administration of Historical Societies...	193	X. Old New York Revived— <i>Continued</i> .....	214
II. The March of Empire—Progress of Topography Westward. <i>By Henry O'Rielly, Esqr.</i>	193	XI. A Sermon Preached at Boston in New England vpon a Fast Day the XVJth of January. 1636. <i>By Mr. John Wheelwright</i> .....	215
III. Relics from the Valley Forge.....	196	XII. The Records of the City of New Amsterdam— <i>Continued</i> .....	224
IV. New Jersey and the Boundary Commission of 1769— <i>Concluded</i> .....	199	XIII. Jane McCrea. <i>By William L. Stone, Esqr.</i>	229
V. Selections from Portfolios in Various Libraries— <i>Continued</i> .....	203	XIV. Church Cows.....	230
VI. Sir Nathaniel Rich. <i>By John Ward Dean, Esqr.</i> .....	206	XV. Notes on the Recent Civil War.—I.....	231
VII. Journal of Lieutenant Thomas Anderson of the Delaware Regiment, 1780–1782.....	207	XVI. Reminiscences of the Presidential Election of 1800.....	232
VIII. Memoranda of an Hour's Talk with a Centenarian—Captain Lahrbush, late of Her Majesty's LXth Rifles.....	211	XVII. Notes.....	233
IX. A Fragment from Old Virginia.....	212	XVIII. Queries.....	234
		XIX. Replies.....	235
		XX. Proceedings of Societies.....	228
		XXI. Books.....	246

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THE

# HISTORICAL MAGAZINE,

AND

## NOTES AND QUERIES

CONCERNING

### The Antiquities, History and Biography

OF

## A M E R I C A .

May, 1867.

MORRISANIA, N. Y.:

HENRY B. DAWSON.

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## CONTENTS OF THIS NUMBER.

	<i>Page</i>		<i>Page</i>
I. The Fœderalist, No. LXIII.....	257	VIII. Marshall's <i>Life of Washington</i> .....	286
II. The Pilgrim Fathers Neither Puritans nor Persecutors.....	261	IX. The Symbol of the Cross.....	288
III. Suggestions for a Constitution for the State of New York.....	277	X. Early Methodists and the American Revolution.....	291
IV. "Thou Art the Man".....	278	XI. Work and Materials for American History..	297
V. The Origin of the American National Anthem Called <i>The Star Spangled Banner</i> .....	279	XII. Notes.....	301
VI. Mr. Drayton's Talk to the Cherokees, 25 September, 1775.....	280	XIII. Queries.....	302
VII. Selections from Portfolios in Various Libraries— <i>Continued</i> .....	283	XIV. Replies.....	302
		XV. Proceedings of Societies.....	303
		XVI. Books.....	306

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will not fail to notice the interesting and important article, from "the papers of Chief-Justice Jay," HERETOFORE UNPUBLISHED, which leads the contents of this number of THE HISTORICAL MAGAZINE; and in view of the public denial by his "ever-courteous" grand-son that ANY of those papers had ever been furnished to me, "*because there were none such,*" "relating to *The Fœderalist*," they will read it with increased pleasure. In future numbers we shall print, ALSO FOR THE FIRST TIME, another installment of those "family papers of Chief-Justice Jay relative to *The Fœderalist*," which were furnished to us by John Jay, Esq., the widely-known President of the Loyal League Club, and which he now says, also, *never existed*.

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### CONTENTS OF THIS NUMBER.

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	Page		Page
I. Work and Materials for American History—		IV. Selections from Portfolios in Various Li-	
Continued.....	321	braries.....	349
II. Jonathan Edwards, and the Occasion and		V. Our Historical Writers.....	351
Result of his Dismission from Northampton...	333	VI. The Records of the City of New Amsterdam	
III. The Early Methodists and the American		—Continued.....	354
Revolution.....	338	VII. Books.....	364

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